

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### EXTRAORDINARY

No. 2

#### GOVERNMENT OF GOA, DAMAN AND DIU

Finance (Expenditure) Department

##### Notification

4-3/GOI/Pens/Rules/71-72/F(C)/Vol. II

The following Notification No. 8(1)-EV/69 dated 1-3-1972 received from Government of India, Ministry of Finance (Department of Expenditure) New Delhi, is hereby republished for the information of the public.

*M. Kalyanasundaram*, Under Secretary (Finance).  
Panaji, 12th May, 1972.

#### GOVERNMENT OF INDIA

##### MINISTRY OF FINANCE

(Department of Expenditure)

*New Delhi, the 1st March, 1972.*

##### Notification

8(1)-EV/69

In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules, namely:—

##### CHAPTER I

##### Preliminary

1. **Short title and commencement.**— (1) These rules may be called the Central Civil Services (Pension) Rules, 1972.

(2) They shall come into force on the 1st June 1972.

2. **Application.**— Save as otherwise provided in these rules, these rules shall apply to Government servants including civilian Government servants in the Defence Services, appointed substantively to civil services and posts in connection with the affairs of the Union which are borne on pensionable establishments, but shall not apply to—

- (a) railway servants;
- (b) persons in casual and daily rated employment;
- (c) persons paid from contingencies;
- (d) persons entitled to the benefit of a Contributory Provident Fund;
- (e) members of the all India Services;
- (f) persons locally recruited for service in diplomatic, Consular or other Indian establishments in foreign countries;
- (g) persons employed on contract except when the contract provides otherwise; and
- (h) persons whose terms and conditions of service are regulated by or under the provisions of the Constitution or any other law for the time being in force.

3. **Definitions.**— In these rules, unless the context otherwise requires:—

- (1) (a) "Audit Officer" means the Accounts and Audit Officer, whatever his official designation, who authorises the disbursement of pay and allowances of a Government servant;
- (b) "average emoluments" means average emoluments as determined in accordance with rule 34;
- (c) "child" means a child of the Government servant who, if a son, is under eighteen years of age and if a daughter, is unmarried and is under twentyone years of age and the expression "children" shall be construed accordingly;
- (d) "Defence Services" means services under the Government of India in the Ministry of Defence, and in the Defence Accounts Department under the

control of the Ministry of Finance (Department of Expenditure) (Defence Division), paid out of the Defence Services Estimates and not permanently subject to the Air Force Act, 1950 (45 of 1950) or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957);

(e) "emoluments" means emoluments as defined in rule 33;

(f) "family pension" means contributory family pension admissible under rule 54 and includes non-contributory family pension admissible under rule 55;

(g) "foreign service" means service in which a Government servant receives his pay with the sanction of the Government from any source other than the Consolidated Fund of India or of a State;

(h) "Form" means a Form appended to these rules;

(i) "Government" means the Central Government;

(j) "gratuity" includes —

(i) "service gratuity" payable under sub-rule (1) of rule 49;

(ii) "death-cum-retirement gratuity" payable under sub-rule (1) or sub-rule (3) of rule 50; and

(iii) "residuary gratuity" payable under sub-rule (2) of rule 50;

(k) "Head of a Department" means an authority specified in Schedule 1 to the Delegation of Financial Powers Rules, 1958, and includes such other authority or person whom the President may, by order, specify as Head of a Department;

(l) "Head of Office" means a gazetted officer declared as such under rule 10-A of the Delegation of Financial Powers Rules, 1958, and includes such other authority or person whom the competent authority may, by order, specify as Head of Office;

(m) "Local Fund administered by Government" means the fund administered by a body which, by law or rule having the force of law, comes under the control of the Government and over whose expenditure the Government retains complete direct control;

(n) "minor" means a person who has not completed the age of eighteen years;

(o) "pension" includes gratuity except when the term pension is used in contradistinction to gratuity;

(p) "person sanctioning authority" means the authority competent to sanction pension under rule 60;

(q) "qualifying service" means service rendered while on duty or otherwise which shall be taken into account for the purpose of pensions and gratuities admissible under these rules;

(r) "retirement benefits" includes pension or service gratuity, and death-cum-retirement gratuity, where admissible;

(s) "Treasury" includes a Sub-Treasury.

(2) Words and expressions used herein and not defined but defined in the Fundamental Rules have the meanings respectively assigned to them in those Rules.

4. Government servants transferred from services and posts to which these rules do not apply. — (1)

A Government servant who is transferred permanently to a service or post to which these rules apply from a service or post to which these rules do not apply shall become subject to these rules:

Provided that it shall be open to him, within six months of the date of issue of the order of his permanent transfer or, if he is on leave on that day, then, within six months of his return from leave, whichever is later, to elect to be governed by the pension rules to which he was subject immediately before the date of his transfer.

(2) The option under the proviso to sub-rule (1) shall be exercised in writing and communicated to the authority making such order of transfer.

(3) The option, once exercised, shall be final.

## CHAPTER II

### General conditions

5. Regulation of claims to pension or family pension. — (1) Any claim to pension or family pension shall be regulated by the provisions of these rules in force at the time when a Government servant retires or is retired or is discharged or is allowed to resign from service or dies, as the case may be.

(2) The day on which a Government servant retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as a non-working day but the date of death shall be treated as a working day.

6. Full pension subject to approved service. — (1) Except for contributory family pension admissible under rule 54, full pension admissible under these rules shall not be sanctioned to a Government servant unless the service rendered by that Government servant has been approved by the pension sanctioning authority as satisfactory.

(2) If such service has not been satisfactory, the pension sanctioning authority may make such reduction in the amount of pension, or gratuity, or both, as that authority may think proper:

Provided that in a case where the pension sanctioning authority is subordinate to the appointing authority, no order regarding reduction in the amount of pension shall be made without the approval of the appointing authority:

Provided further the amount of pension shall not be reduced below the limit specified in sub-rule (5) of rule 49.

(3) For the purposes of sub-rule (2), the expression "appointing authority" shall mean the authority which is competent to make appointments to the service or post from which the Government servant retires.

(4) (a) The reduction referred to in sub-rule (2) shall be of a permanent character.

(b) The measure of reduction in the amount of pension shall be the extent by which the Government servant's service as a whole failed to reach a satisfactory standard and no attempt shall be made to equate the amount of reduction with the amount of loss caused to the Government.

(5) The pension sanctioned under these rules shall not be reduced although proof of the service having

been not satisfactory may come to the notice of the pension sanctioning authority subsequent to the sanction of pension.

(6) Whenever in the case of a Government servant the President passes an order (whether original or appellate) awarding a pension including gratuity less than the maximum admissible under these rules, the Union Public Service Commission shall be consulted before the order is passed.

(7) Nothing in this rule shall apply —

(a) where a part of pension has been withheld or ordered to be recovered under rule 9; or

(b) where a part of pension has been reduced under rule 40; or

(c) to effect any recovery which has the result of punishment.

**7. Limitation on number of pensions.** — (1) A Government servant shall not earn two pensions in the same service or post at the same time or by the same continuous service.

(2) Except as provided in rule 19, a Government servant who, having retired on a superannuation pension or retiring pension, is subsequently re-employed shall not be entitled to a separate pension or gratuity for the period of his re-employment.

**8. Pension subject to future good conduct.** — (1)

(a) Future good conduct shall be an implied condition of every grant of pension and its continuance under these rules.

(b) The pension sanctioning authority may, by order in writing, withhold or withdraw a pension or part thereof, whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of grave misconduct:

Provided that no such order shall be passed by an authority subordinate to the authority competent to make an appointment to the post held by the pensioner immediately before his retirement from service:

Provided further that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below the limit specified in sub-rule (5) of rule 49.

(2) Where a pensioner is convicted of a serious crime by a court of law, action under sub-rule (1) shall be taken in the light of the judgment of the court relating to such conviction.

(3) In a case not falling under sub-rule (2), if the authority referred to in sub-rule (1) considers that the pensioner is *prima-facie* guilty of grave misconduct, it shall before passing an order under sub-rule (1),

(a) serve upon the pensioner a notice specifying the action proposed to be taken against him and the ground on which it is proposed to be taken and calling upon him to submit, within fifteen days of the receipt of the notice or such further time not exceeding fifteen days as may be allowed by the pension sanctioning authority, such representation as he may wish to make against the proposal; and

(b) take into consideration the representation if any, submitted by the pensioner under clause (a).

(4) Where the authority competent to pass an order under sub-rule (1) is the President, the Union Public Service Commission shall be consulted before the order is passed.

(5) An appeal against an order under sub-rule (1), passed by any authority other than the President, shall lie to the President and the President shall, in consultation with the Union Public Service Commission, pass such orders on the appeal as he deems fit.

*Explanation:* In this rule, —

(a) the expression 'serious crime' includes a crime involving an offence under the Official Secrets Act, 1923 (19 of 1923);

(b) the expression 'grave misconduct' includes the communication or disclosure of any secret official code or pass-word or any sketch, plan, model, article note, document or information, such as is mentioned in section 5 of the Official Secrets Act, 1923 (19 of 1923) (which was obtained while holding office under the Government) so as to prejudicially affect the interests of the general public or the security of the State.

**9. Right of President to withhold or withdraw pension.** — (1) The President reserves to himself the right of withholding or withdrawing a pension or part thereof, whether permanently or for a specified period, and of ordering recovery from a pension of the whole or part of any pecuniary loss caused to the Government, if, in any departmental or judicial proceedings, the pensioner is found guilty of grave misconduct or negligence during the period of his service, including service rendered upon re-employment after retirement:

Provided that the Union Public Service Commission shall be consulted before any final orders are passed.

Provided further that where a part of pension is withheld or withdrawn, the amount of such pension shall not be reduced below the limit specified in sub-rule (5) or rule 49.

(2) (a) The departmental proceedings referred to in sub-rule (1), if instituted while the Government servant was in service whether before his retirement or during his re-employment, shall, after the final retirement of the Government servant, be deemed to be proceedings under this rule and shall be continued and concluded by the authority by which they were commenced in the same manner as if the Government servant had continued in service:

Provided that where the departmental proceedings are instituted by an authority subordinate to the President, that authority shall submit a report recording its findings to the President.

(b) The departmental proceedings, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment,

(i) shall not be instituted save with the sanction of the President,

(ii) shall not be in respect of any event which took place more than four years before such institution, and

(iii) shall be conducted by such authority and in such place as the President may direct and in accordance with the procedure applicable to de-

partmental proceedings in which an order of dismissal from service could be made in relation to the Government servant during his service.

(3) No judicial proceedings, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment, shall be instituted in respect of a cause of action which arose, or in respect of an event which took place, more than four years before such institution.

(4) In the case of a Government servant who has retired on attaining the age of superannuation or otherwise and against whom any departmental or judicial proceedings are instituted or where departmental proceedings are continued under sub-rule (2), a provisional pension as provided in rule 65 or rule 74, as the case may be, shall be sanctioned.

(5) Where the President decides not to withhold or withdraw pension but orders recovery of pecuniary loss from pension, the recovery shall not ordinarily be made at a rate exceeding one-third of the pension admissible on the date of retirement of a Government servant.

(6) For the purpose of this rule, —

(a) departmental proceedings shall be deemed to be instituted on the date on which the statement of charges is issued to the Government servant or pensioner, or if the Government servant has been placed under suspension from an earlier date, on such date; and

(b) judicial proceedings shall be deemed to be instituted —

(i) in the case of criminal proceedings, on the date on which the complaint or report of a police officer, of which the Magistrate takes cognisance, is made, and

(ii) in the case of civil proceedings, on the date the plaint is presented in the court.

#### 10. Commercial employment after retirement. —

(1) If a pensioner who, immediately before his retirement was a member of Central Service Class I, wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he shall obtain the previous sanction of the Government to such acceptance and no pension shall be payable to a pensioner who accepts a commercial employment without such sanction in respect of any period for which he is so employed or such longer period as the Government may direct:

Provided that a Government servant who was permitted by the Government to take up a particular form of commercial employment during his leave preparatory to retirement or during refused leave shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(2) In this rule, —

(a) the expression «commercial employment» means: —

(i) an employment in any capacity including that of an agent, under a company, co-operative society, firm or individual engaged in trading, commercial, industrial, financial or professional business and includes also a directorship of such company and partnership of such firm, but does not include employment under a body cor-

porate, wholly or substantially owned or controlled by the Government.

(ii) setting up practice, either independently or as a partner of a firm, as adviser or consultant in matters in respect of which the pensioner —

(A) has no professional qualifications and the matters in respect of which the practice is to be set up or is carried on are relatable to his official knowledge or experience, or

(B) has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position, or

(iii) has to undertake work involving liaison or contact with the offices or officers of the Government;

*Explanation:* — For the purposes of this clause «employment under a co-operative society» includes the holding of any office, whether elective or otherwise, such as that of President, Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society;

(b) the expression «date of retirement», in relation to a Government servant re-employed after retirement, without any break, either in the same or in another Class I post under the Government or in any other equivalent post under a State Government, means the date on which such Government servant finally ceases to be so re-employed in Government service.

**11. Restriction on practice in Income-tax and other cases after retirement.** — (1) No pensioner who, while in service, belonged to the Indian Revenue Service or who, having been a member of any other Central Service Class I, retired from a post under the Department of Revenue and Insurance in the Ministry of Finance, shall set up practice before the expiry of two years from the date of his retirement —

(a) in any area which was within the local limit of his jurisdiction during the last three years immediately before his retirement;

(b) in areas other than those referred to in clause (a) without the previous sanction of the President.

(2) No pension shall be payable to such pensioner who sets up practice in contravention of sub-rule (1) in respect any period for which he has set up practice or such longer period as the Government may direct.

*Explanation:* — For the purposes of this rule,

(i) the expression «practice» means practice, either independently or as a partner of a firm, as consultant or adviser in matters relating to Income-tax, wealth tax, duties of customs, duties of Central Excise or estate duty, as representative of assessee in proceedings under the enactment relating to the levy of such tax or duty;

(ii) the expression «date of retirement» shall have the same meaning as in sub-rule (2) of rule 10.

**12. Employment after retirement under a Government outside India.** — If a pensioner who, immedia-

tely before his retirement was a member of Central Service Class I, wishes to accept any employment under any Government outside India, he shall obtain the previous permission of the Central Government for such acceptance, and no pension shall be payable to a pensioner who accepts such an employment without proper permission in respect of any period for which he is so employed or such longer period as the Government may direct:

Provided that a Government servant who was permitted by the Central Government to take up a particular form of employment under any Government outside India during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

*Explanation:* For the purpose of this rule, the expression "employment under any Government outside India" includes employment under a local authority or corporation or any other institution or organisation which functions under the supervision or control of a Government outside India, or an employment under an International Organisation of which the Government of India is not a member.

### CHAPTER III

#### Qualifying service

**13. Commencement of qualifying service.**— Subject to the provisions of these rules, qualifying service of a Government servant shall commence from the date he takes charge of the post to which he is first appointed either substantively or in an officiating or temporary capacity:

Provided that officiating or temporary service is followed without interruption by substantive appointment in the same or another service or post:

Provided further that—

(a) in the case of a Government servant in a Class IV service or post who held a lien or a suspended lien on a permanent pensionable post prior to the 17th April, 1950, service rendered before attaining the age of sixteen years shall not count for any purpose, and

(b) in the case of a Government servant not covered by clause (a), service rendered before attaining the age of eighteen years shall not count, except for compensation gratuity.

**14. Conditions subject to which service qualifies.**—

(1) The service of a Government servant shall not qualify unless his duties and pay are regulated by the Government, or under conditions determined by the Government.

(2) For the purposes of sub-rule (1), the expression "service" means service under the Government and paid by that Government from the Consolidated Fund of India or a Local Fund administered by that Government but does not include service in a non-pensionable establishment unless such service is treated as qualifying service by that Government.

(3) In the case of a Government servant belonging to a State Government, who is permanently transferred to a service or post to which these rules apply, the continuous service rendered under the State Government in an officiating or temporary

capacity, if any, followed without interruption by substantive appointment, or the continuous service rendered under that Government in an officiating or temporary capacity, as the case may be, shall qualify:

Provided that nothing contained in this sub-rule shall apply to any such Government servant who is appointed otherwise than by deputation to a service or post to which these rules apply.

**15. Counting of service on probation.**— Service on probation against a post if followed by confirmation in the same or another post shall qualify.

**16. Counting of service as apprentice.**— Service as an apprentice shall not qualify, except in the case of S.A.S. apprentice in the Indian Audit and Accounts Department or the Defence Accounts Department.

**17. Counting of service on contract.**— (1) A person who is initially engaged by the Government on a contract for a specified period and is subsequently appointed to the same or another post in a substantive capacity in a pensionable establishment without interruption of duty, may opt either—

(a) to retain the Government contribution in the Contributory Provident Fund with interest thereon including any other compensation for that service; or

(b) to agree to refund to the Government the monetary benefits referred to in clause (a) or to forgo the same if they have not been paid to him and count in lieu thereof the service for which the aforesaid monetary benefits may have been payable.

(2) The option under sub-rule (1) shall be communicated to the Head of Office under intimation to the Audit Officer within a period of three months from the date of issue of the order of permanent transfer to pensionable service, or if the Government servant is on leave on that day, within three months of his return from leave, whichever is later.

(3) If no communication is received by the Head of Office within the period referred to in sub-rule (2), the Government servant shall be deemed to have opted for the retention of the monetary benefits payable or paid to him on account of service rendered on contract.

**18. Counting of pre-retirement civil service in the case of re-employed Government servants.**— (1) A Government servant who, having retired on compensation pension or invalid pension or compensation gratuity or invalid gratuity, is re-employed and appointed substantively to a service or post to which these rules apply may exercise option either—

(a) to continue to draw the pension or retain the gratuity sanctioned for his earlier service, in which case his former service shall not count as qualifying service, or

(b) to cease to draw his pension or refund the gratuity, including the death-cum-retirement gratuity, if any, as the case may be, and count his previous service as qualifying service in which case the pension intermediately drawn shall not be required to be refunded.



(2) (a) The option under sub-rule (1) shall be exercised within three months of the date of issue of the order of substantive appointment to a service or post on re-employment or if the Government servant is on leave on that day, within three months of his return from leave, whichever is later.

(b) If no option is exercised within the period referred to in clause (a), the Government servant shall be deemed to have opted for clause (a) of sub-rule (1).

(3) In the case of a Government servant who opts for clause (a) of sub-rule (1) the pension or gratuity admissible for his subsequent service is subject to the limitation, that service gratuity or the capital value of the pension and death-cum-retirement gratuity, if any, shall not be greater than the difference between the value of the pension and death-cum-retirement gratuity, if any, that would be admissible at the time of the Government servant's final retirement if the two periods of service were combined and the value of retirement benefits already granted to him for the previous service.

*Note.* — The capital value of pension shall be calculated in accordance with the Table prescribed by the President under the Civil Pensions (Commutation) Rules applicable at the time of the second or final retirement.

(4) (a) A Government servant who opts for clause (b) of sub-rule (1) shall be required to refund the gratuity received in respect of his earlier service, in monthly instalments not exceeding thirty-six in number, the first instalment beginning from the month following the month in which he exercised the option.

(b) The right to count previous service as qualifying service shall not revive until the whole amount has been refunded.

(5) In the case of a Government servant, who, having elected to refund the gratuity, dies before the entire amount is refunded, the amount of unrefunded gratuity shall be adjusted against the death-cum-retirement gratuity which may become payable to his family.

**19. Counting of military service rendered before civil employment.** — (1) A Government servant who is re-employed in a civil service or post before attaining the age of superannuation and who, before such re-employment, had rendered regular military service after attaining the age of eighteen years, may, on his confirmation in a civil service or post, opt either —

(a) to continue to draw the military pension or retain gratuity received on discharge from military service, in which case his former military service shall not count as qualifying service; or

(b) to refund the pension or gratuity and count the previous military service as qualifying service, in which case the service so allowed to count shall be restricted to a service, within or outside the employee's unit or department in India or elsewhere, which is paid from the Consolidated Fund of India or for which pensionary contribution has been received by the Government.

(2) (a) The option under sub-rule (1) shall be exercised within three months of the date of issue of the order of substantive appointment to a civil service or post on re-employment, or if the Government servant is on leave on that day, within three months of his return from leave, whichever is later.

(b) If no option is exercised within the period referred to in clause (a), the Government servant shall be deemed to have opted for clause (a) of sub-rule (1).

(3) (a) A Government servant who opts for clause (b) of sub-rule (1) shall be required to refund the pension, bonus or gratuity received in respect of his earlier military service, in monthly instalments not exceeding thirty-six in number, the first instalment beginning from the month following the month in which he exercised the option.

(b) the right to count previous service as qualifying service shall not revive until the whole amount has been refunded.

(4) In the case of a Government servant who, having elected to refund the pension, bonus or gratuity, dies before the entire amount is refunded, the unrefunded amount of pension or gratuity shall be adjusted against the death-cum-retirement gratuity which may become payable to his family.

(5) When an order is passed under this rule allowing previous regular military service to count as part of the service qualifying for civil pension, the order shall be deemed to include the condonation of interruption in service, if any, in the military service and between the military and civil service.

*Note.* — The provisions of this sub-rule shall apply to an employee who had rendered continuous temporary non-regular military service alone or in conjunction with war service and any interruption in service between the temporary non-regular military service and civil service may be condoned in accordance with the provisions of rule 28.

**20. Counting of war service rendered before civil employment.** — (1) A Government servant who, prior to his appointment in a civil service or post against war reserved or other permanent vacancy which arose for direct recruitment before the 1st January, 1948, had rendered satisfactory paid whole-time, enlisted or commissioned war service in the Armed Forces of India or in similar forces of a Commonwealth country during the period from the 3rd September, 1939 to the 1st April, 1946, which did not earn a service pension under the military rules, shall be allowed to count such service, including all kinds of leave on full rates of pay and sick leave taken during such service, as qualifying service, subject to the following conditions, namely: —

(a) in the case of a service or post in respect of which a minimum age is fixed for recruitment, no war service rendered below that age shall count as qualifying service;

(b) no contribution towards or share of pension earned as a result of counting war service rendered in a force of a Commonwealth country shall be claimed from the Government of that country;

(c) no refund of bonus or gratuity in respect of war service shall be demanded from the Government servant concerned.

(2) War service rendered by a Government servant who was appointed substantively to a civil service or post against vacancies which arose after the 31st December, 1947, shall, subject to the conditions specified in sub-rule (1), be treated as military service as provided in rule 19.

**21. Counting of periods spent on leave.** — All leave during service for which leave salary is payable shall count as qualifying service:

Provided that in the case of extraordinary leave the appointing authority may, at the time of granting such leave, allow the period of that leave to count as qualifying service if such leave is granted to a Government servant —

- (i) on medical certificate; or
- (ii) due to his inability to join or rejoin duty on account of civil commotion; or
- (iii) for prosecuting higher scientific and technical studies.

**22. Counting of periods spent on training.** — The Government may, by order, decide whether the time spent by a Government servant under training immediately before appointment to service under that Government shall count as qualifying service.

**23. Counting of periods of suspension.** — Time passed by a Government servant under suspension pending inquiry into conduct shall count as qualifying service where, on conclusion of such inquiry, he has been fully exonerated or the suspension is held to be wholly unjustified; in other cases, the period of suspension shall not count unless the authority competent to pass orders under the rule governing such cases expressly declares at the time that it shall count to such extent as the competent authority may declare.

**24. Forfeiture of service on dismissal or removal.** — Dismissal or removal of a Government servant from a service or post entails forfeiture of his past service.

**25. Counting of past service on reinstatement.** — (1) A Government servant who is dismissed, removed or compulsorily retired from service, but is reinstated on appeal or review, is entitled to count his past service as qualifying service.

(2) The period of interruption in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension, if any, shall not count as qualifying service unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.

**26. Forfeiture of service on resignation.** — (1) Resignation from a service or post entails forfeiture of past service:

Provided that a resignation shall not entail forfeiture of past service if it has been submitted to take up with proper permission, another appointment, whether temporary or permanent, under the Government where service qualifies.

(2) Interruption in service in a case falling under the proviso to sub-rule (1), due to the two appointments being at different stations, not exceeding

the joining time permissible under the rules of transfer, shall be covered by grant of leave of any kind due to the Government servant on the date of relief or by formal condonation to the extent to which the period is not covered by leave due to the Government servant.

**27. Effect of interruption in service.** — (1) An interruption in the service of a Government servant entails forfeiture of his past service, except in the following cases: —

- (a) authorised leave of absence;
- (b) unauthorised absence in continuation of authorised leave of absence so long as the post of absentee is not filled substantively;
- (c) suspension, where it is immediately followed by reinstatement, whether in the same or a different post, or where the Government servant dies or is permitted to retire or is retired on attaining the age of compulsory retirement while under suspension;
- (d) transfer to non-qualifying service in an establishment under the control of the Government if such transfer has been ordered by a competent authority in the public interest;
- (e) joining time while on transfer from one post to another.

(2) Notwithstanding anything contained in sub-rule (1), the pension sanctioning authority may, by order, commute retrospectively the periods of absence without leave as extraordinary leave.

**28. Condonation of interruption in service.** — (1) The appointing authority may, by order, condone interruptions in the service of a Government servant:

Provided that —

- (i) the interruptions have been caused by reasons beyond the control of the Government servant;
- (ii) the total service excluding one or more interruptions, if any, is not less than five years duration; and
- (iii) the interruption, including two or more interruptions, if any, does not exceed one year.

(2) The period of interruption condoned under sub-rule (1) shall not count as qualifying service.

**29. Addition to qualifying service when a Government servant is declared surplus.** — (1) A Government servant, other than a Government servant in class IV service or post, who, after having been declared surplus to the establishment in which he was serving and transferred to the Central Pool of surplus personnel in the Cabinet Secretariat, Department of Personnel, opts to retire voluntarily within two months of his transfer to the Pool and is permitted to retire, shall be entitled to have five years added to the qualifying service rendered by him:

Provided that the qualifying service rendered is not less than fifteen years and the resultant length of qualifying service after taking into account the aforesaid addition is not more than the service the Government servant could have counted had he retired on the date of his superannuation.

(2) In respect of a Government servant in class IV service or post the provisions of sub-rule (1) shall apply if he opts for voluntary retirement within a period of two months of the reporting of his name to the Director General of Employment and Training, after having been declared surplus in the establishment in which he was serving as a result of studies made by the Department of Administrative Reforms and the Staff Inspection Unit of the Department of Expenditure, Ministry of Finance.

**30. Addition to qualifying service in special circumstances.** — (1) The Government may, by order, allow a Government servant appointed to a service or post after the 31st March, 1960 to add to his service qualifying for superannuation pension (but not for any other class of pension) the actual period not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeded twenty-five years or a period of five years, whichever is less, if the service or post to which the Government servant is appointed is one —

(a) for which post-graduate research, or specialist qualification, or experience in scientific, technological or professional fields, is essential; and

(b) to which candidates of more than twenty-five years of age are normally recruited:

Provided that this concession shall not be admissible to a Government servant unless his actual qualifying service at the time he quits Government service is not less than ten years:

Provided further that a Government servant who is recruited at the age of thirty-five years or more may, within a period of three months from the date of his appointment, elect to forgo his rights to pension whereupon he shall be eligible to subscribe to a Contributory Provident Fund.

(2) The option referred to in the second proviso to sub-rule (1), once exercised, shall be final.

(3) Where it is considered necessary to apply the concession under this rule to a particular service or post it shall be decided in consultation with the Ministry of Finance before a person is recruited to that service or post:

Provided that the Union Public Service Commission shall also be consulted if the recruitment to the service or post is made by that Commission.

**31. Period of deputation to United Nations and other Organisations.** — A Government servant deputed on foreign service, for a period of one year or more, to the United Nations' Secretariat or other United Nations' Bodies, the International Monetary Fund, the International Bank of Reconstruction and Development, or the Asian Development Bank, may at his option: —

(a) pay the pension contributions in respect of his foreign service and count such service as qualifying for pension under these rules; or

(b) avail of the retirement benefits admissible under the rules of the aforesaid Organisation and not count such service as qualifying for pension under these rules:

Provided that where a Government servant opts for clause (b), retirement benefits shall be payable to

him in India in rupees from such date and in such manner as the Government may, by order, specify:

Provided further that pension contributions, if any, paid by the Government servant, shall be refunded to him.

**32. Verification of qualifying service after 25 years service.** — Where a Government servant completes twenty-five years of service, the Audit Officer concerned in the case of a gazetted Government servant or the Head of Office, in consultation with the Audit Officer concerned, in the case of a non-gazetted Government servant shall, in accordance with the rules for the time being in force, verify the service rendered by such Government servant, determine the qualifying service and communicate to him the period of qualifying service so determined:

Provided that any such verification shall be subject to final verification of qualifying service which shall be made at the time of retirement of the Government servant.

#### CHAPTER IV

##### Emoluments and average emoluments

**33. Emoluments.** — The expression "emoluments" means pay as defined in rule 9(21) of the Fundamental Rules (including dearness pay, as determined by the order of the Government issued from time to time) which a Government servant was receiving immediately before his retirement or on the date of his death.

*Note 1.* — If a Government servant immediately before his retirement or death while in service had been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he would have drawn had he not been absent from duty or suspended shall be the emoluments for the purposes of this rule:

Provided that any increase in pay (other than the increment referred to in Note 4) which is not actually drawn shall not form part of his emoluments.

*Note 2.* — Where a Government servant immediately before his retirement or death while in service had proceeded on leave for which leave salary is payable after having held a higher appointment whether in an officiating or temporary capacity, the benefit of emoluments drawn in such higher appointment shall be given only if it is certified that the Government servant would have continued to hold the higher appointment but for his proceeding on leave.

*Note 3.* — If a Government servant immediately before his retirement or death while in service had been absent from duty on extraordinary leave, or had been under suspension the period whereof does not count as service, the emoluments which he drew immediately before proceeding on such leave or being placed under suspension shall be the emoluments for the purposes of this rule.

*Note 4.* — If a Government servant immediately before his retirement or death while in service was on earned leave or leave on average pay, as the case may be, and earned an increment, which was not withheld,

(a) during the currency of the earned leave not exceeding one hundred and twenty days, or



during the first one hundred and twenty days of earned leave exceeding one hundred and twenty days, or

(b) during the currency of leave on average pay not exceeding four months, or during the first four months of leave on average pay exceeding four months,

such increment, though not actually drawn, shall form part of his emoluments.

**Note 5.** — Pay drawn by a Government servant in a tenure appointment shall be treated as emoluments:

Provided that the service in tenure appointment does not qualify for the grant of additional pension.

**Note 6.** — Pay drawn by a Government servant while on deputation to the Armed Forces of India shall be treated as emoluments.

**Note 7.** — Pay drawn by a Government servant while on foreign service shall not be treated as emoluments, but the pay which he would have drawn under the Government had he not been on foreign service shall alone be treated as emoluments.

**34. Average emoluments.** — Average emoluments shall be determined with reference to the emoluments drawn by a Government servant during the last three years of his service.

**Note 1.** — If during the last three years of his service a Government servant had been absent from duty on leave for which leave salary is payable or having been suspended had been reinstated without forfeiture of service, the emoluments which he would have drawn had he not been absent from duty or suspended shall be taken into account for determining the average emoluments:

Provided that any increase in pay (other than the increment referred to in Note 3) which is not actually drawn shall not form part of his emoluments.

**Note 2.** — If, during the last three years of his service, a Government servant had been absent from duty on extraordinary leave, or had been under suspension the period whereof does not count as service, the aforesaid period of leave or suspension shall be disregarded in the calculation of the average emoluments and equal period before the three years shall be included.

**Note 3.** — In the case of a Government servant who was on earned leave or leave on average pay, as the case may be, during the last three years of service and earned an increment, which was not withheld,

(a) during the currency of the earned leave not exceeding one hundred and twenty days, or during the first one hundred and twenty days of earned leave exceeding one hundred and twenty days, or

(b) during the currency of leave on average pay not exceeding four months, or during the first four months of leave on average pay exceeding four months,

such increment, though not actually drawn, shall be included in the average emoluments.

## CHAPTER V

### Classes on pensions and conditions governing their grant

**35. Superannuation pension.** — A superannuation pension shall be granted to a Government servant who is retired on his attaining the age of compulsory retirement.

**36. Retiring pension.** — A retiring pension shall be granted —

(a) to a Government servant who retires, or is retired, in advance of the age of compulsory retirement, in accordance with the provisions of rule 43 or rule 48 of these rules, or rule 56 of the Fundamental Rules or Article 459 of the Civil Service Regulations; and

(b) to a Government servant who, on being declared surplus, opts for voluntary retirement in accordance with the provisions of rule 29 of these rules.

**37. Pension on absorption in or under a corporation, company or body.** — A Government servant who has been permitted to be absorbed in a service or post in or under a corporation or company wholly or substantially owned or controlled by the Government or in or under a body controlled or financed by the Government shall, if such absorption is declared by the Government to be in the public interest, be deemed to have retired from service from the date of such absorption and shall be eligible to receive retirement benefits which he may have elected or deemed to have elected, and from such date as may be determined, in accordance with the orders of the Government applicable to him:

Provided that the Government shall have no liability for the payment of family pension in such a case:

Provided further that no declaration regarding absorption in the public interest in a service or post in or under such corporation, company or body shall be required in respect of a Government servant whom the Government may, by order, declare to be a scientific employee.

**38. Invalid pension.** — (1) A Government servant who is declared by the appropriate medical authority to be permanently incapacitated for further service in accordance with the instructions on the subject may be granted invalid pension.

(2) Where the medical authority referred to in sub-rule (1) has declared a Government servant fit for further service of less laborious character than that which he has been doing, he may, if possible, be employed on lower pay and if there be no means of employing him even on a lower pay he may be admitted to pension.

(3) (a) If the incapacity is directly due to the irregular or intemperate habits of a Government servant, no pension may be granted.

(b) If the incapacity has not been accelerated or aggravated by them, it shall be for the pension sanctioning authority to decide what reduction should be made on this account.

**39. Compensation pension.** — (1) If a Government servant is selected for discharge owing to the abolition of his permanent post, he shall, unless he is appointed to another post the conditions of which are

deemed by the authority competent to discharge him to be at least equal to those of his own, have the option —

(a) of taking compensation pension to which he may be entitled for the service he had rendered, or

(b) of accepting another appointment on such pay as may be offered and continuing to count his previous service for pension.

(2) (a) Notice of at least three months shall be given to a Government servant in permanent employment before his services are dispensed with on the abolition of his permanent post.

(b) Where notice of at least three months is not given and the Government servant has not been provided with other employment on the date on which his services are dispensed with, the authority competent to dispense with his services may sanction the payment of a sum not exceeding the pay and allowances for the period by which the notice actually given to him falls short of three months.

(c) No compensation pension shall be payable for the period in respect of which he receives pay and allowances in lieu of notice.

(3) In case a Government servant is granted pay and allowances for the period by which the notice given to him falls short of three months and he is re-employed before the expiry of the period for which he has received pay and allowances he shall refund the pay and allowances so received for the period following his re-employment.

(4) If a Government servant who is entitled to compensation pension accepts instead another appointment under the Government and subsequently becomes entitled to receive a pension of any class, the amount of such pension shall not be less than the compensation pension which he could have claimed if he had not accepted the appointment.

**40. Compulsory retirement pension.** — (1) A Government servant compulsorily retired from service as a penalty may be granted, by the authority competent to impose such penalty pension or gratuity or both at a rate not less than two-thirds and not more than full invalid pension or gratuity or both admissible to him on the date of his compulsory retirement:

Provided that in the case of a Government servant to whom rule 46 applies, additional pension of not less than the limits mentioned in this rule may also be granted.

(2) Whenever in the case of a Government servant the President passes an order (whether original, appellate or in exercise of power of review) awarding a pension less than the full invalid pension admissible under these rules, the Union Public Service Commission shall be consulted before such order is passed.

*Explanation.* — In this sub-rule, the expression "pension" includes gratuity.

(3) A pension granted or awarded under sub-rule (1) or, as the case may be, under sub-rule (2), shall not be less than the limit specified in sub-rule (5) of rule 49.

**41. Compassionate allowance.** — (1) A Government servant who is dismissed or removed from service shall forfeit his pension and gratuity:

Provided that the authority competent to dismiss or remove him from service may, if the case is deserving of special consideration, sanction a compassionate allowance not exceeding two-thirds of pension or gratuity or both which would have been admissible to him if he had retired on invalid pension.

(2) A compassionate allowance sanctioned under the proviso to sub-rule (1) shall not be less than the limit specified in sub-rule (5) of rule 49.

## CHAPTER VI

### Regulation of amounts of pensions of pre-1938 entrants

**42. Scope.** — The provisions of this Chapter shall apply to a Government servant who on the 30th September, 1938, held a lien or a suspended lien on a permanent pensionable post under the Government or a Local Fund administered by the Government and had opted for the provisions relating to pension and gratuity as specified in clause (b) or clause (c) of paragraph 2 of the Ministry of Finance Office Memorandum No. 3(16)-E(Spl)/50, dated the 2nd January, 1951, as amended by the Ministry of Finance Office Memorandum No. 3(16)-EST(Spl)/50, dated the 21st February, 1951.

**43. Retirement on completion of 30 years or 25 years qualifying service.** — (1) A retiring pension shall be granted to a Government servant who is permitted by the appointing authority to retire after completing qualifying service of thirty years.

(2) A Government servant who has completed twenty-five years qualifying service and who holds a service or post specified in clause (1) of Article 349-A of the Civil Service Regulations shall be entitled to a retiring pension if his resignation is accepted or if he is required by the Government to retire.

*Note.* — The Government retains an absolute right to retire a Government servant governed by this sub-rule after he has completed twenty-five years' qualifying service without giving any reasons and no claim to special compensation on this account shall be entertained. This right shall not be exercised except when it is in the public interest to dispense with the further services of Government servant.

(3) A Government servant, who has elected to retire under this rule and has given necessary intimation to that effect to the appointing authority, shall be precluded from withdrawing his election subsequently except with the specific approval of such authority:

Provided that the request for withdrawal shall be made within the intended date of his retirement.

**44. Regulation of amounts of pensions.** — (1) In the case of a Government servant to whom sub-rules (2) and (3) do not apply, the amount of su-

perannuation, retiring, invalid or compensation pension shall be regulated as follows, namely: —

Completed six monthly periods of qualifying service	Scale of pension	Maximum pension per annum
(1)	(2)	(3)
50 and above	30/60th of average emoluments.	Rs. 5,000/-

(2) In the case of a Government servant who holds a service or post specified in clause (1) of article 349-A of the Civil Service Regulations, the amount of superannuation, retiring, invalid or compensation pension shall be regulated as follows, namely: —

Completed six monthly periods of qualifying service	Scale of pension	Maximum pension per annum
(1)	(2)	(3)
50	30/60th of average emoluments	Rs. 5,000
51	30/60th » » »	Rs. 5,100
52	30/60th » » »	Rs. 5,200
53	30/60th » » »	Rs. 5,300
54	30/60th » » »	Rs. 5,400
55	30/60th » » »	Rs. 5,500
56	30/60th » » »	Rs. 5,600
57	30/60th » » »	Rs. 5,700
58	30/60th » » »	Rs. 5,800
59	30/60th » » »	Rs. 5,900
60 and above	30/60th » » »	Rs. 6,000

(3) In the case of members of the services and holders of the posts specified in Schedule V to the Superior Civil Services Rules, the amount of superannuation, retiring, invalid or compensation pension shall be regulated as follows, namely: —

after 25 years' qualifying service	Rs. 6,000/- a year
» 25½ » » »	Rs. 6,100/- » »
» 26 » » »	Rs. 6,200/- » »
» 26½ » » »	Rs. 6,300/- » »
» 27 » » »	Rs. 6,400/- » »
» 27½ » » »	Rs. 6,500/- » »
» 28 » » »	Rs. 6,600/- » »
» 28½ » » »	Rs. 6,700/- » »
» 29 » » »	Rs. 6,800/- » »
» 29½ » » »	Rs. 6,900/- » »
30 and above	Rs. 7,000/- » »

(4) In calculating the length of service, fractions of a year equal to six months and above shall be treated as a completed six monthly period.

(5) The amount of pension shall be fixed at monthly rates and be expressed in whole rupees and where the pension contains a fraction of a rupee it shall be rounded off to the next higher rupee:

Provided that in no case a pension in excess of the maximum pension prescribed under this rule shall be allowed.

**45. Eligibility to death-cum-retirement gratuity and family pension.** — (1) A Government servant who has opted for clause (c) of paragraph 2 of the Ministry of Finance Office Memorandum No. 3(16)-Espl./50, dated the 2nd January, 1951, as amended by

the Ministry of Finance Office Memorandum No. 3(16)-Espl./50, dated the 21st February, 1951, shall be eligible for the death-cum-retirement gratuity as admissible under rule 50 and family pension as admissible under rule 54 or rule 55.

(2) The pension as admissible under rule 44 shall be reduced by the pension equivalent of such gratuity to be calculated in accordance with the Table prescribed by the President under the Civil Pensions (Commutation) Rules, applicable to the Government servant at the time of retirement.

**46. Additional pension.** — (1) A Government servant who retires while holding the post or posts included in the Schedule to Article 475-A of the Civil Service Regulations (hereinafter referred to in this rule as the said Schedule) may be granted an additional pension —

(a) at the rate of three hundred rupees for each completed year of effective service in any post included in the lower grade up to a maximum of one thousand five hundred rupees per annum; and

(b) at the rate of five hundred rupees for each completed year of effective service in any post included in the upper grade up to a maximum of two thousand and five hundred rupees per annum for service in lower and upper grade appointments combined or in upper grade appointments alone:

Provided that in the case of a Government servant who has earned an additional pension by service in appointments in both the upper and lower grades, service for any broken period of a year in the upper grade may count as service in the lower grade if his additional pension would thereby be increased.

(2) A Government servant, who has held a temporary post which has been declared by the authority competent to create the post as carrying similar duties and similar responsibilities and which carries the same rate of pay as a post listed in the said Schedule, may be granted an additional pension in respect of that post at the rate and subject to the conditions prescribed in sub-rule (1).

(3) For the purposes of sub-rules (1) and (2), the expression "effective service" includes, besides periods of duty in a post mentioned in the said sub-rules, —

(i) duty performed —

(a) in a post of corresponding rank and responsibility in foreign service, or

(b) on deputation on special duty, or

(c) in a temporary post, or

(d) in a permanent post in an officiating capacity, to which a Government servant is transferred or appointed while holding the post mentioned in sub-rule (1) or sub-rule (2), if, in the case of a Government servant who held a post mentioned in sub-rule (1) in an officiating capacity, or in the case of a Government servant who held a post mentioned in sub-rule (2) the Government certifies that he would have continued to officiate in or hold the post concerned;

(ii) earned leave not exceeding one hundred and twenty days, or the first one hundred and twenty days of earned leave exceeding one hundred and twenty days, or leave on average pay not exceeding four months or the first four months of leave on average pay exceeding four months, for the pur-

pose of calculating service for additional pension, taken by a Government servant during his service in a post mentioned in sub-rules (1) and (2) or during the period of duty covered by clause (i), if, in the case of a Government servant who has held a post mentioned in the said clause in an officiating capacity or a post mentioned in sub-rule (2), the Government certifies that he would, if he had not proceeded on leave, have continued to officiate in the post mentioned in sub-rule (1), or have held a post mentioned in sub-rule (2).

(4) A Government servant, who, under the second proviso to sub-rule (1) of rule 30 of these rules, or under rule 113 of the Fundamental Rules has received officiating promotion to one of the posts listed in the said Schedule, or in whose case the Government certifies that he would have received such promotion had he not been on special duty or held a temporary post, may be granted an additional pension at the rates and subject to the condition specified in sub-rule (1), as though he had held, during the period for which he officiates or would have officiated, a post listed in the said Schedule.

*Explanation.* — In calculating under this sub-rule any service for the purpose of granting additional pension, the period of officiating promotion, including any earned leave, not exceeding one hundred and twenty days or the first one hundred and twenty days of earned leave exceeding one hundred and twenty days or leave on average pay not exceeding four months or the first four months of leave on average pay exceeding four months taken during the period if the Government certifies that, had the Government servant not been on leave, he would have continued in the same capacity, shall be taken into account.

(5) The grant of the additional pension is subject to the condition that the Government servant must in the event of voluntary retirement, have completed twenty-eight years of qualifying service.

*Explanation.* — The expression "voluntary retirement" shall be construed as retirement under rule 43.

(6) Service in a tenure appointment shall qualify for the grant of additional pension if the Government servant does not count pay in the tenure post as emoluments.

(7) The additional pension admissible under this rule shall not be given as a matter of course but only where the service rendered is approved as satisfying the standard of work and conduct required in special conditions of the post or duty referred to in this rule.

(8) The President may, by order, sanction additional pension to a Government servant who at the time of retirement from service has held a post which is comparable to the post of a Joint Secretary or Deputy Secretary to the Government of India both in respect of pay and responsibilities and such a post has not been included in the said Schedule.

#### CHAPTER VII

##### Regulation of amounts of pensions of post-1938 entrants

47. *Scope.* — The provisions of this Chapter shall apply to a Government servant: —

(a) Who on the 30th September, 1938, held a lien or a suspended lien on a permanent pension-

able post under the Government or a Local Fund administered by the Government and did not opt for the provisions relating to pension and gratuity as specified in clause (b) or clause (c) of paragraph 2 of the Ministry of Finance Office Memorandum No. 3(16)-E(Spl)/50, dated the 2nd January, 1951, as amended by the Ministry of Finance Office Memorandum No. 3(16)-EST (Spl)/50, dated the 21st February, 1951, and

(b) who entered Government service on or after the 1st October, 1938, or having entered service before that date did not hold a lien or a suspended lien on a permanent pensionable post before that date.

48. *Retirement on completion of 30 years qualifying service.* — (1) At any time after a Government servant has completed thirty years qualifying service,—

(a) he may retire from service, or

(b) he may be required by the appointing authority to retire in the public interest

and in the case of such retirement the Government servant shall be entitled to a retiring pension:

Provided that—

(a) a Government servant shall give a notice in writing to the appointing authority at least three months before the date on which he wishes to retire; and

(b) the appointing authority may also give a notice in writing to a Government servant at least three months before the date on which he is required to retire in the public interest or three months' pay and allowances in lieu of such notice.

(2) A Government servant, who has elected to retire under this rule and has given the necessary intimation to that effect to the appointing authority, shall be precluded from withdrawing his election subsequently except with the specific approval of such authority:

Provided that the request for withdrawal shall be within the intended date of his retirement.

49. *Amount of pension.* — (1) In the case of a Government servant retiring in accordance with the provisions of these rules before completing qualifying service of ten years, the amount of service gratuity shall be the appropriate amount as set out below, namely: —

Completed six monthly periods of qualifying service	Scale of service gratuity	
(1)	(2)	
1.	1/2	month's emoluments
2.	1	» »
3.	1½	» »
4.	2	» »
5.	2½	» »
6.	3	» »
7.	3½	» »
8.	4	» »
9.	4-3/8	» »
10.	4-3/4	» »
11.	5-1/8	» »

(1)		(2)
12.	5-1/2	>
13.	5-7/8	>
14.	6-1/4	>
15.	6-5/8	>
16.	7	>
17.	7-3/8	>
18.	7-3/4	>
19.	8-1/8	>

(2) In the case of a Government servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than ten years, the amount of pension shall be the appropriate amount as set out below, namely:—

Completed six monthly periods of qualifying service (1)	Scale of pension (2)	Maximum pension (in rupees per annum) (3)
20.	10/80ths of average emoluments	2,700
21.	10½/80ths > >	2,835
22.	11/80ths > >	2,970
23.	11½/80ths > >	3,105
24.	12/80ths > >	3,240
25.	12½/80ths > >	3,375
26.	13/80ths > >	3,510
27.	13½/80ths > >	3,645
28.	14/80ths > >	3,780
29.	14½/80ths > >	3,915
30.	15/80ths > >	4,050
31.	15½/80ths > >	4,185
32.	16/80ths > >	4,320
33.	16½/80ths > >	4,455
34.	17/80ths > >	4,590
35.	17½/80ths > >	4,725
36.	18/80ths > >	4,860
37.	18½/80ths > >	4,995
38.	19/80ths > >	5,130
39.	19½/80ths > >	5,265
40.	20/80ths > >	5,400
41.	20½/80ths > >	5,535
42.	21/80ths > >	5,670
43.	21½/80ths > >	5,805
44.	22/80ths > >	5,940
45.	22½/80ths > >	6,075
46.	23/80ths > >	6,210
47.	23½/80ths > >	6,345
48.	24/80ths > >	6,480
49.	24½/80ths > >	6,615
50.	25/80ths > >	6,750
51.	25½/80ths > >	6,885
52.	26/80ths > >	7,020
53.	26½/80ths > >	7,155
54.	27/80ths > >	7,290
55.	27½/80ths > >	7,425
56.	28/80ths > >	7,560
57.	28½/80ths > >	7,695
58.	29/80ths > >	7,830
59.	29½/80ths > >	7,965
60. and above	30/80ths > >	8,100

(3) In calculating the length of service, fractions of a year equal to six months and above shall be treated as a completed six monthly period.

(4) The amount of pension shall be fixed at monthly rates and be expressed in whole rupees and where the pension contains a fraction of a rupee it shall be rounded off to the next higher rupee:

Provided that in no case a pension in excess of the maximum pension prescribed under this rule shall be allowed.

(5) Where the amount of pension,

(a) calculated by taking into account dearness pay, or

(b) calculated after excluding dearness pay, but inclusive of ad hoc increase sanctioned in the Ministry of Finance Office Memorandum No. F. 15 (13) EV(A)/63, dated the 16th October, 1963, as amended from time to time,

is less than forty rupees per mensem, the difference shall be made good by the grant of further increase in pension.

(6) Nothing contained in sub-rule (5) shall apply to a military pensioner who on his re-employment in a civil service or post had elected to draw his military pension under clause (a) of sub-rule (1) of rule 19, if such a pensioner was allowed the benefit of minimum pension of forty rupees per mensem (including temporary increase or *ad hoc* increase or both) in respect of his military service:

Provided that where the amount of military pension (including *ad hoc* increase or temporary increase or both) is forty rupees per mensem or more, and his pension for civil service (including *ad hoc* increase, if any) falls below forty rupees per mensem, his civil pension shall be raised to forty rupees per mensem in accordance with the provisions of sub-rule (5).

50. Death-cum-retirement gratuity.—(1) (a) A Government servant, who has completed five years' qualifying service and has become eligible for service gratuity or pension under rule 49, shall, on his retirement, be granted death-cum-retirement gratuity equal to one-fourth of his emoluments for each completed six monthly period of qualifying service, subject to a maximum of 15 times the emoluments.

(b) If a Government servant dies while in service after completing five years' qualifying service, the amount of death-cum-retirement gratuity shall be equal to 12 times of his emoluments or the amount determined under clause (a), whichever is higher and it shall be paid to his family in the manner indicated in sub-rule (1) of rule 51:

Provided that the amount of death-cum-retirement gratuity payable under this rule shall, in no case, exceed twenty-four thousand rupees.

(2) If a Government servant, who has become eligible for a service gratuity or pension, dies within five years from the date of his retirement from service including compulsory retirement as a penalty and the sums actually received by him at the time of his death on account of such gratuity or pension including *ad-hoc* increase, if any, together with the death-cum-retirement gratuity admissible under



sub-rule (1) and the commuted value of any portion of pension commuted by him are less than the amount equal to 12 times of his emoluments, a residuary gratuity equal to the deficiency may be granted to his family in the manner indicated in sub-rule (1) of rule 51.

(3) (a) If a Government servant dies in the first year of qualifying service, a death-cum-retirement gratuity equal to two times of his emoluments at the time of his death shall be paid to his family in the manner indicated in sub-rule (1) of rule 51.

(b) If a Government servant dies after completion of one year of qualifying service but before completing five years of qualifying service, the amount of death-cum-retirement gratuity shall be equal to six times of his emoluments.

(4) (a) In the case of a Government servant to whom rule 54 applies, a contribution of an amount equal to two months emoluments, or three thousand and six hundred rupees, whichever is less, shall be recovered out of the death-cum-retirement gratuity:

Provided that where the average emoluments are treated as emoluments under sub-rule (5), the amount of contribution shall be determined with reference to such average emoluments.

(b) No such recovery shall be made out of the death-cum-retirement gratuity payable to a Government servant who retires before earning a pension, or who, at the time of death while in service or at the time of retirement, was an unmarried Government servant or a widower or a widow and had no child or children including legally adopted children.

(5) The emoluments for the purpose of gratuity admissible under this rule shall be subject to a maximum of one thousand eight hundred rupees per mensem, and shall be reckoned in accordance with rule 33:

Provided that if the emoluments of a Government servant have been reduced during the last three years of his service otherwise than as penalty, average emoluments as referred to in rule 34 may, at the discretion of the pension sanctioning authority, be treated as emoluments.

(6) For the purposes of this rule and rules 51, 52 and 53, 'family', in relation to a Government servant, means —

- (i) wife or wives, in the case of a male Government servant,
- (ii) husband, in the case of a female Government servant,
- (iii) sons including step sons and adopted sons,
- (iv) unmarried daughters including step daughters and adopted daughters,
- (v) widowed daughters including step daughters and adopted daughters,
- (vi) father, } including adoptive parents in the
- (vii) mother, } case of individuals whose personal law permits adoption,
- (viii) brothers below the age of eighteen years including step brothers,
- (ix) unmarried sisters and widowed sisters including step sisters,
- (x) married daughters, and
- (xi) children of a pre-deceased son.

**51. Persons to whom gratuity is payable.** — (1) (a) The gratuity payable under rule 50 shall be paid to the person or persons on whom the right to receive the gratuity is conferred by means of a nomination under rule 53;

(b) if there is no such nomination or if the nomination made does not subsist, the gratuity shall be paid in the manner indicated below: —

(i) if there are one or more surviving members of the family as in clauses (i), (ii), (iii) and (iv) of sub-rule (6) of rule 50, to all such members in equal shares;

(ii) if there are no such surviving members of the family as in sub-clause (i) above, but there are one or more members as in clauses (v), (vi), (vii), (viii), (ix), (x) and (xi) of sub-rule (6) of rule 50, to all such members in equal shares.

(2) If a Government servant dies after retirement without receiving the gratuity admissible under sub-rule (1) of rule 50 the gratuity shall be disbursed to the family in the manner indicated in sub-rule (1).

(3) The right of a female member of the family, or that of a brother, of a Government servant who dies while in service or after retirement, to receive the share of gratuity shall not be affected if the female members marries or re-marries, or the brother attains the age of eighteen years, after the death of the Government servant and before receiving her or his share of the gratuity.

(4) Where gratuity is granted under rule 50 to a minor member of the family of the deceased Government servant, it shall be payable to the guardian on behalf of the minor.

**52. Lapse of death-cum-retirement gratuity.** — Where a Government servant dies while in service, or after retirement without receiving the amount of gratuity, and —

- (a) leaves behind no family; or
- (b) has made no nomination; or
- (c) the nomination made by him does not subsist;

the amount of death-cum-retirement gratuity payable to him under rule 50 shall lapse to the Government.

**53. Nominations.** — (1) A Government servant shall, on his initial confirmation in a service or post, make a nomination in Form 1 or Form 2, as may be appropriate in the circumstances of the case, conferring on one or more persons the right to receive the death-cum-retirement gratuity payable under rule 50:

Provided that if at the time of making the nomination

(i) the Government servant has a family, the nomination shall not be in favour of any person or persons other than the members of his family; or

(ii) the Government servant has no family, the nomination may be made in favour of a person or persons, or a body of individuals, whether incorporated or not.

(2) If a Government servant nominates more than one person under sub-rule (1), he shall specify in the nomination the amount of share payable to each of

the nominees in such manner as to cover the entire amount of gratuity.

(3) A Government servant may provide in the nomination —

(i) that in respect of any specified nominee who pre-deceases the Government servant, or who dies after the death of the Government servant but before receiving the payment of gratuity, the right conferred on that nominee shall pass to such other person as may be specified in the nomination;

Provided that if at the time of making the nomination the Government servant has a family consisting of more than one member, the person so specified shall not be a person other than a member of his family:

Provided further that where a Government servant has only one member in his family, and a nomination has been made in his favour, it is open to the Government servant to nominate alternate nominee or nominees in favour of any person or a body of individuals, whether incorporated or not;

(ii) that the nomination shall become invalid in the event of the happening of the contingency provided therein.

(4) The nomination made by a Government servant who has no family at the time of making it, or the nomination made by a Government servant under the second proviso to clause (i) of sub-rule (3) where he has only one member in his family shall become invalid in the event of the Government servant subsequently acquiring a family, or an additional member in the family, as the case may be.

(5) A Government servant may, at any time, cancel a nomination by sending a notice in writing to the authority mentioned in sub-rule (7):

Provided that he shall, along with such notice, send a fresh nomination made in accordance with this rule.

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (i) of sub-rule (3) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (ii) of that sub-rule, the Government servant shall send to the authority mentioned in sub-rule (7) a notice in writing cancelling the nomination together with a fresh nomination made in accordance with this rule.

(7) (a) Every nomination made (including every notice of cancellation, if any, given) by a Government servant under this rule, shall be sent,

(i) in case the Government servant is a permanent gazetted Government servant other than a gazetted Government servant referred to in sub-rule (1) of rule 59 to the Audit Officer concerned; and

(ii) in any other case, including that of a gazetted Government servant referred to in sub-rule (1) of rule 59, to the Head of Office.

(b) the Audit Officer or the Head of Office, as the case may be, shall, immediately on receipt of the nomination referred to in clause (a), countersign it indicating the date of receipt and keep it under his custody.

(c) (i) The Head of Office may authorise his subordinate gazetted officers to countersign the no-

mination forms of non-gazetted Government servants.

(ii) Suitable entry regarding receipt of nomination shall be made in the service book of the non-gazetted Government servant.

(8) Every nomination made, and every notice of cancellation given, by a Government servant shall, to the extent that it is valid, take effect from the date on which it is received by the authority mentioned in sub-rule (7).

**54. Contributory family pension.** — (1) The provisions of this rule shall apply —

(a) to a Government servant entering service in a pensionable establishment on or after the 1st January, 1964; and

(b) to a Government servant who was in service on the 31st December, 1963 and came to be governed by the provisions of the Family Pension Scheme for Central Government employees, 1964, contained in the Ministry of Finance Office Memorandum No. 9(16)-EV(A)/63, dated the 31st December, 1963, as in force immediately before the commencement of these rules.

(2) Subject to the provisions of sub-rule (5) and without prejudice to the provisions contained in sub-rule (3), where a Government servant dies —

(a) after completion of not less than one year continuous service, or

(b) after retirement from service and was in receipt of pension on the date of death,

the family of the deceased shall be entitled to a contributory family pension (hereinafter in this rule referred to as family pension) the amount of which shall be determined as follows: —

Pay of Government servant	Amount of monthly family pension
(i) Rs. 800 and above	12 per cent of pay subject to a maximum of Rs. 150/-.
(ii) Rs. 200 and above but below Rs. 800/-.	15 per cent of pay subject to a maximum of Rs. 96/- and a minimum of Rs. 60/-.
(iii) Below Rs. 200/-.	30 per cent of pay subject to a minimum of Rs. 40/-.

(3) (a) Subject to the provisions of sub-rule (5), where a Government servant, who is not governed by the Workmen's Compensation Act, 1923 (8 of 1923), dies while in service after having rendered not less than seven years continuous service, the rate of family pension payable to the family shall be equal to 50 per cent of the pay last drawn or twice the family pension admissible under sub-rule (2), whichever is less, and the amount so admissible shall be payable from the date following the date of death of the Government servant —

(i) for a period of seven years; or

(ii) till the date on which the Government servant would have reached the age of superannuation had he remained alive; or

(iii) in case he had been on extension of service till the date upto which the extension had been granted,

whichever period is shorter.

(b) (i) Where a Government servant, who is governed by the Workmen's Compensation Act, 1923 (8 of 1923), dies while in service after having ren-

dered not less than seven years continuous service, the rate of family pension payable to the family shall be equal to 50 per cent of the pay last drawn or one and a half times the family pension admissible under sub-rule (2), whichever is less.

(ii) The family pension so determined under sub-clause (i) shall be payable for the period mentioned in clause (a):

Provided that where a compensation is not payable under the aforesaid Act, the pension sanctioning authority shall send a certificate to the Audit Officer to the effect that the family of the deceased Government servant is not eligible for any compensation under the aforesaid Act and the family shall be paid family pension on the scale, and for the period, mentioned in clause (a).

(c) After the expiry of the period referred to in clause (a), the family, in receipt of family pension under that clause or clause (b), shall be entitled to family pension at the rate admissible under sub-rule (2).

(4) (a) (i) Where an award under the Central Civil Services (Extraordinary Pension) Rules is admissible, no family pension under this rule shall be sanctioned except in a case where a Government servant dies, as a result of «risk of office» or «special risk of office», as defined in the aforesaid Rules, after having rendered continuous service of not less than seven years.

(ii) The family of such Government servant shall be sanctioned family pension on the scale, and for the period, mentioned in clause (a) of sub-rule (3) and on the expiry of that period award under the Central Civil Services (Extraordinary Pension) Rules shall become payable.

(b) Where a family pension under clause (a) has been sanctioned to a widow or widower, nothing contained in that clause shall be construed as preventing the child or children, if any, from drawing pension under the Central Civil Services (Extraordinary Pension) Rules.

(c) Where a Government servant referred to in clause (a) dies after having rendered not less than one year continuous service, but before completion of seven years continuous service, and is not survived by a widow or widower, but is survived only by child or children, such child or children shall be sanctioned family pension as admissible under sub-rule (2) if such pension is higher than the award under the Central Civil Services (Extraordinary Pension) Rules.

(5) The grant of family pension under sub-rule (2) or sub-rule (3) shall be subject to the payment of contribution under sub-rule (4) of rule 50 or under any order issued by the Government, and nothing contained in this sub-rule shall apply to the grant of family pension under sub-rule (4).

(6) The period for which family pension is payable shall be as follows:—

(i) in the case of a widow or widower, up to the date of death or remarriage, whichever is earlier;

(ii) in the case of a son, until he attains the age of eighteen years, and

(iii) in the case of an unmarried daughter, until she attains the age of twenty-one years or until she gets married, whichever is earlier.

(7) (a) (i) Where the family pension is payable to more widows than one, the family pension shall be paid to the widows in equal shares.

(ii) On the death of a widow, her share of the family pension shall become payable to her eligible child:

Provided that if the widow is not survived by any child, her share of the family pension shall cease to be payable.

(b) Where the deceased Government servant or pensioner is survived by a widow but has left behind eligible child or children from another wife who is not alive, the eligible child or children shall be entitled to the share of family pension which the mother would have received if she had been alive at the time of the death of the Government servant or pensioner.

(8) (i) Except as provided in sub-rule (7), the family pension shall not be payable to more than one member of the family at the same time.

(ii) If a deceased Government servant or pensioner leaves behind a widow or widower, the family pension shall become payable to the widow or widower, failing which to the eligible child.

(iii) If sons and unmarried daughters are alive, unmarried daughters shall not be eligible for family pension unless the sons attain the age of eighteen years and thereby become ineligible for the grant of family pension.

(9) Where a deceased Government servant or pensioner leaves behind more children than one the eldest eligible child shall be entitled to the family pension for the period mentioned in clause (ii) or clause (iii) of sub-rule (6), as the case may be, and after the expiry of that period the next child shall become eligible for the grant of family pension.

(10) Where family pension is granted under this rule to a minor, it shall be payable to the guardian on behalf of the minor.

(11) In case both wife and husband are Government servants and are governed by the provisions of this rule and one of them dies while in service or after retirement, the family pension in respect of the deceased shall become payable to the surviving husband or wife and in the event of the death of the husband or wife, the surviving child or children shall be granted the two family pensions in respect of the deceased parents, subject to the limits specified below, namely:—

(a) (i) if the surviving child or children is or are eligible to draw two family pensions at the rate mentioned in sub-rule (3), the amount of both the pensions shall be limited to three hundred rupees per mensem;

(ii) if one of the family pensions ceases to be payable at the rate mentioned in sub-rule (3), and in lieu thereof the pension at the rate mentioned in sub-rule (2) becomes payable, the amount of both the pensions shall also be limited to three hundred rupees per mensem;

(b) if both the family pension are payable at the rates mentioned in sub-rule (2), the amount of two pensions shall be limited to one hundred and fifty rupees per mensem.

(12) (a) (i) As soon as a Government servant has completed one years' continuous service, he shall give details of his family in Form 3 to the Audit Officer,

if he is a gazetted Government servant other than a gazetted Government servant referred to in sub-rule (1) of rule 59, or to the Head of Office, if he is a non-gazetted Government servant or a gazetted Government servant referred to in sub-rule (1) of rule 59:

Provided that a Government servant holding a lien or a suspended lien on a non-gazetted service or post and holding a gazetted service or post in a temporary or officiating capacity shall furnish the details of his family in Form 3 to the Head of Office;

(ii) If the Government servant has no family, he shall furnish the details in Form 3 as soon as he acquires a family.

(b) The Government servant shall communicate to the Audit Officer or the Head of Office, as the case may be, any subsequent change in the size of his family, including the fact of marriage of his female child.

(c) The Audit Officer shall on receipt of the said Form 3, keep it in safe custody and acknowledge receipt of the said Form 3 and all further communications received from the Government servant in this behalf.

(d) The Head of Office shall, on receipt of the said Form 3, paste it in the service book of the Government servant concerned and acknowledge receipt of the said Form 3 and all further communications received from the Government servant in this behalf.

(e) The Audit Officer or the Head of Office, as the case may be, on receipt of communication from the Government servant regarding any change in the size of family shall incorporate such a change in Form 3.

(13) The ad hoc increase in pension, sanctioned in the Ministry of Finance Office Memorandum No. 15(13)-EV(A)/63, dated the 16th October, 1963, as amended from time to time, shall not be payable to the family in receipt of a family pension under this rule.

(14) For the purposes of this rule, —

(a) "continuous service" means service rendered in a temporary or permanent capacity in a pensionable establishment and does not include —

(i) period of suspension, if any, and

(ii) period of service, if any, rendered before attaining the age of eighteen years;

(b) "family", in relation to a Government servant means —

(i) wife in the case of a male Government servant, or husband in the case of a female Government servant, provided the marriage took place before retirement of the Government servant;

**Note 1:** — Wife and husband shall include respectively judicially separated wife and husband.

**Note 2:** — Where the appointing authority referred to in sub-rule (3) of rule 6 decides that for reasons to be recorded in writing, a child or children from a judicially separated deceased female Government servant should receive the family pension in preference to judicially separated husband of the deceased Government servant, such husband shall not be regarded as covered by the expression 'family'.

(ii) son who has not attained the age of eighteen years and unmarried daughter who has not attained the age of twenty-one years, including such son and daughter adopted legally before retirement;

(c) "pay" means the emoluments as specified in rule 33.

(15) Nothing contained in this rule shall apply to —

(a) a re-employed Government servant who had retired before the 1st January, 1964, from —

(i) civil service on retiring pension or superannuation pension, or

(ii) military service on retiring pension, service pension or invalid pension, and who, on the date of re-employment, had attained the age of superannuation applicable to the post in which he is re-employed;

(b) a military pensioner who has retired from military service on or after the 1st January, 1964, or retires from such service after the commencement of these rules, on retiring pension, service pension or invalid pension and is re-employed in a civil service or post before attaining the age of superannuation:

Provided that for the grant of ordinary family pension such Government servant is governed by Army Instruction 2/5/64, as amended from time to time, or corresponding Navy or Air Force Instruction.

(c) a Government servant who, on absorption in a service or post in or under a corporation or company wholly or substantially owned or controlled by the Government or any other body, incorporated or not, is sanctioned pension under rule 37.

**55. Non-contributory family pension.** — The provisions of this rule shall apply to a Government servant who was in service on the 31st December, 1963 and had specifically opted for the scheme of family pension (hereinafter in this rule referred to as non-contributory family pension) admissible under the Ministry of Finance Office Memorandum No. F.3(1)E(Spl)/47, dated the 17th April, 1950, as in force immediately before the commencement of these rules.

(2) A non-contributory family pension shall be granted for a period not exceeding ten years to the family of a Government servant who dies while in service after completion of not less than twenty years qualifying service:

Provided that the Government may, in exceptional circumstances grant such pension to the family of a Government servant who dies while in service after completion of not less than ten years qualifying service:

Provided further that the period of payment shall, in no case, extend beyond a period of five years from the date on which the Government servant would have retired in the normal course on superannuation pension.

**Explanation.** — Where a Government servant dies while on extension of service, the date up to which extension of service had been granted to him before his death shall be construed as the date on which the

Government servant would have retired on superannuation pension.

(3) A Government servant who, at the time of his retirement, including compulsory retirement as a penalty, had rendered qualifying service of not less than twenty years and dies within five years of the date of his retirement, a non-contributory family pension shall be granted to his family for the unexpired portion of five years from the date of his retirement.

(4) (a) The amount of non-contributory family pension payable under sub-rule (2) shall be one-half of the superannuation pension which would have been admissible to the Government servant had he retired on the date following the date of his death.

(b) The amount of non-contributory family pension payable under sub-rule (3) shall be one-half of the pension sanctioned to the Government servant at the time of his retirement and if the pensioner had, before his death, commuted a part of his pension, the commuted part of the pension shall be deducted from the amount of non-contributory family pension:

Provided that the amount of non-contributory family pension payable under clause (a) or clause (b) shall be subject to a maximum of one hundred and fifty rupees per month and a minimum of forty rupees per month:

Provided further that where the amount of non-contributory family pension, (calculated after taking into account, the *ad hoc* increase, if admissible, sanctioned in the Ministry of Finance Office Memorandum No. 15(3)EV(A)/63, dated the 16th October, 1963, as amended from time to time) is less than forty rupees per month, the difference shall be made good by the grant of further increase in the amount of non-contributory family pension.

(5) No non-contributory family pension shall be payable under this rule—

(a) to a person mentioned in clause (b) of sub-rule (6), without production of reasonable proof that such person was dependent on the deceased Government servant for support;

(b) to an unmarried female member of a Government servant's family, in the event of her marriage;

(c) to a widowed female member of a Government servant's family, in the event of her re-marriage, and

(d) to a brother of a Government servant, on his attaining the age of eighteen years.

(6) (a) Except as may be provided by nomination under sub-rule (7), the non-contributory family pension sanctioned under this rule shall be payable,—

(i) to the widow, and if there are more widows than one, to the eldest surviving widow, if the deceased was a male Government servant, or to the husband, if the deceased was a female Government servant.

**Explanation:** The expression "eldest surviving widow" shall be construed with reference to the seniority according to the date of the marriages of the surviving widows and not with reference to their age;

(ii) failing a widow or husband, as the case may be, to the eldest surviving son;

(iii) failing (i) and (ii) above, to the eldest surviving unmarried daughter;

(iv) failing the above, to the eldest surviving widowed daughter.

(b) If there are no surviving members of the family as in clause (a), the non-contributory family pension may be granted;

(i) to the father;

(ii) failing (i) above, to the mother;

(iii) failing (i) and (ii) above, to the eldest surviving brother below the age of eighteen years;

(iv) failing (i), (ii) and (iii) above, to the eldest surviving unmarried sister;

(v) failing the above, to the eldest surviving widowed sister.

(7) (a) A Government servant on his confirmation in a service or post, make a nomination in Form 4 indicating the order in which a non-contributory family pension should be paid to the members of his family and, to the extent it is valid, the non-contributory family pension shall be payable in accordance with such nomination:

Provided that the persons concerned satisfy the requirements of sub-rule (5) on the date from which such non-contributory pension may fall due.

(b) In case the person concerned does not satisfy the requirements of sub-rule (5), the non-contributory family pension shall be granted to the person next lower in the order shown in the nomination.

(c) The provisions of sub-rule (5), (7) and (8) of rule 53 shall apply in respect of nominations made under this sub-rule.

(8) (a) A non-contributory family pension granted under this rule shall not be payable to more than one member of a Government servant's family at the same time.

(b) If the non-contributory family pension granted under this rule ceases to be payable on account of death or marriage of the recipient or other causes, it shall be regranted to the person next lower in the order mentioned in sub-rule (6) or to the person next lower in the order shown in the nomination made under sub-rule (7), as the case may be, who satisfies the other provisions of this rule.

(9) A non-contributory family pension sanctioned under this rule shall be tenable in addition to any extraordinary pension or gratuity or compensation that may be granted to the members of a Government servant's family.

(10) Where non-contributory family pension is granted under this rule to a minor member of the family of the deceased Government servant, it shall be payable to the guardian on behalf of the minor.

(11) For the purposes of this rule, the expression 'family', in relation to a Government servant means, the family as defined in clauses (i) to (viii) of sub-rule (6) of rule 50.

(12) Nothing contained in this rule shall apply to a Government servant who, on absorption in a service or post in or under a corporation or company wholly or substantially owned or controlled by the



Government, or any other body, incorporated or not, is sanctioned pension under rule 37.

#### CHAPTER VIII

#### Applications for and sanction of pensions

##### General

**56. Preparation of list of Government servants due for retirement.**—(1) Every Head of the Department shall have a list prepared every six months, that is, on the 1st January and the 1st July each year of all gazetted and non-gazetted Government servants who are due to retire within the next 12 to 18 months of that date.

(2) A copy of every list referred to in sub-rule (1) shall be supplied to the Audit Officer concerned not later than the 31st January or the 31st July, as the case may be, of that year.

(3) In the case of a Government servant retiring for reasons other than by way of superannuation, the Head of the Department shall promptly inform the Audit Officer as soon as the impending retirement becomes known to him.

**57. Intimation to Directorate of Estates regarding issue of 'No Demand Certificate'.**—The Head of the Department or the Head of Office shall write to the Directorate of Estates at least one year before the anticipated date of retirement of a Government servant who is in occupation of a Government accommodation, for issue of 'No Demand Certificate' so that the sanction of pension and gratuity is not delayed and the necessary Government dues are realised within the period specified in sub-rule (3) of rule 76.

**58. Submission of application for pension.**—(1) Every Government servant shall submit in writing an application for pension in Form 5:

Provided that a Gazetted Government servant shall send his application direct to the Audit Officer and a non-gazetted Government servant to the Head of Office.

(2) Every Government servant shall submit his application for pension at least one year in advance of the date of his anticipated retirement:

Provided that,—

(i) in a case in which the date of retirement cannot be foreseen one year in advance, the application shall be submitted immediately after the date of retirement is settled; and

(ii) a Government servant, proceeding on leave preparatory to retirement in excess of one year, shall submit the application at the time of proceeding on such leave.

**59. Gazetted Government servants drawing pay on establishment bills and other Government servants holding gazetted posts in officiating capacity.**—(1) A gazetted Government servant whose pay and allowances are drawn by the Head of Office on establishment bills shall be treated as a non-gazetted Government servant. Such Government servant shall submit his application for pension to the Head of Office and the procedure laid down in rules 66 to 74 (both inclusive) shall apply to him.

(2) In the case of a Government servant holding a lien or a suspended lien on a non-gazetted post and holding a gazetted post in a temporary or officiating capacity at the time of retirement and whose pay and allowances are not drawn by the Head of Office on establishment bills, the Head of Office shall send the service book of the Government servant concerned to the Audit Officer at least one year in advance of the date of retirement of such Government servant or as soon as possible if such Government servant is promoted to officiate in a Gazetted post only during the last year of his service, after verifying that the certificate of verification relating to non-gazetted service has been recorded and that the service book is complete in all respects.

**60. Authority competent to sanction pension.**—

(1) (a) The Head of the Department or any other authority competent to make appointment to the post substantially held by the retiring Government servant shall be competent to sanction pension and gratuity.

(b) The authority referred to in clause (a) shall, after considering the facts of the case and having due regard to the provisions of rule 6, record in Form 6 his orders as to whether the service rendered by the Government servant has been satisfactory and is approved for the grant of full pension or gratuity or both, admissible under the rules or whether the service so rendered has not been thoroughly satisfactory and what reduction should, for that reason, be made from the full pension or gratuity or both.

(2) Notwithstanding anything contained in sub-rule (1), the Comptroller and Auditor-General shall be the pension sanctioning authority in respect of officers of the Indian Audit and Accounts Service.

**61. Revision of pension after sanction.**—(1) Subject to the provisions of rules 8 and 9, pension once sanctioned after final assessment shall not be revised to the disadvantage of the Government servant, unless such revision becomes necessary on account of a clerical error subsequently:

Provided that no revision of pension to the disadvantage of the pensioner shall be ordered by the pension sanctioning authority without the sanction of the Ministry of Finance if the clerical error is detected after a period of two years from the date of sanction of pension.

(2) For the purposes of sub-rule (1), the Government servant concerned shall be served with a notice by the pension sanctioning authority, requiring him to refund the excess payments of pensions within a period of two months from the date of receipt of notice by him.

(3) In case the Government servant fails to comply with the notice, the pension sanctioning authority shall, by order in writing, direct that such excess payment shall be adjusted by short payments of pension in future, in one or more instalments, as the said authority may direct.

##### Gazetted Government Servants

**62. Preparation of pension papers.**—The Audit Officer concerned shall undertake the work of preparing pension papers in Form 7 one year before the date on which a Government servant is due to

retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier. This work shall not be delayed till the Government servant has actually submitted his application for pension.

*Explanation:* In this rule and in rules 63, 64 and 65, the expression "Government servant" means a gazetted Government servant other than a gazetted Government referred to in sub-rule (1) of rule 59.

**63. Further action to sanction pension.** — (1) (a) The Audit Officer concerned shall send to every Government servant, under intimation to the Head of the Department, or where the retiring Government servant is himself the Head of the Department, to the Ministry concerned, the application for pension in Form 5 one year in advance of the date on which the Government servant attains the age of superannuation or before the date of his anticipated retirement, if earlier, with the request that it should be returned to him duly completed within a period of three months from the date of issue of intimation to the Government servant by him but in no case later than the actual date of retirement.

(b) The Audit Officer shall also draw the attention of the retiring Government servant to the provisions of rule 83.

(2) On receipt of a copy of application for pension from the Audit Officer, the retiring Government servant shall return it duly completed to the Audit Officer within the period mentioned in sub-rule (1) under intimation to the Head of the Department or the Ministry if he is himself the Head of the Department.

(3) (a) The Head of the Department or the Ministry shall communicate the orders of the pension sanctioning authority to the Audit Officer in Form 6 within a period of three months from the date of receipt of the intimation referred to in sub-rule (1) but in no case later than the date of retirement of the Government servant.

(b) If the orders of the pension sanctioning authority are not received by the Audit Officer within the period mentioned in clause (a), he shall assume that the retiring Government servant has been allowed full pension or gratuity or both as admissible under the rules.

(c) If, after the communication of the order of sanction to the Audit Officer, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Audit Officer by the pension sanctioning authority.

(d) In case no such event has occurred, a report to that effect together with a certificate as to the satisfactory nature of the service rendered by the Government servant after the despatch of Form 6 mentioned in clause (a) shall be forwarded to the Audit Officer within a week of the date on which the Government servant retires.

(4) The Head of Office shall furnish to the Audit Officer, at least fourteen days before the date of retirement of the Government servant, the following particulars, namely: —

(a) Government dues recoverable out of the gratuity before payment is authorised, that is to say, —

(i) contribution towards contributory family pension, if applicable;

(ii) Government dues which have been ascertained and assessed;

(b) amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far:

Provided that the Audit Officer shall not be required to withhold an amount of gratuity for adjustment of Government dues which have not been assessed, if under rule 76 the Government servant has made a cash deposit or furnished a surety of a permanent Government servant.

(5) When the Government servant has retired from service, a notification in the Official Gazette specifying the actual date of his retirement shall be issued within a week of such date and a copy of every such notification shall be forwarded immediately to the Audit Officer:

Provided that where a notification in the Official Gazette regarding the grant of leave preparatory to retirement to a Government servant is issued, a further notification that the Government servant actually retired on the expiry of such leave shall not be necessary unless the leave is curtailed and the retirement is for any reason ante-dated or postponed.

(6) The Audit Officer shall finally assess the pension and gratuity if the pension is payable in his circle of audit, he shall, after taking into account the orders of the pension sanctioning authority and the audit encasement on Section I of Part III of Form 7 and the dues mentioned in sub-rule (4), prepare the Pension Payment Order and order for the payment of gratuity:

Provided that the Pension Payment Order and order for the payment of gratuity shall not be issued more than a fortnight in advance of the date on which the Government servant is due to retire.

(7) If the pension is payable in another circle of audit, the Audit Officer shall send the necessary payment authority to the Audit Officer of that circle who shall arrange payment at the Treasury concerned.

(8) The fact of the issue of the Pension Payment Order and order for the payment of gratuity shall be promptly reported to the pension sanctioning authority.

#### **64. Sanction of anticipatory pension and gratuity.**

— (1) When a Government servant is likely to retire before his pension or gratuity or both can be finally assessed and settled in accordance with the provision of these rules, the Audit Officer shall determine the pension or gratuity or both to which, after the most careful summary investigation that he can make without delay, he believes the Government servant to be entitled. He shall then authorise the disbursement of the pension so determined as 'anticipatory pension' and of three-fourth of the amount of gratuity so determined as 'anticipatory gratuity' after deducting therefrom the dues mentioned in sub-rule (4) of rule 63. If the pension is payable in England, he shall report the amount payable to the High Commissioner for India in the United Kingdom who will authorise the disbursement of the amount reported or such smaller amount as may be deemed proper.

(2) The amount payable under sub-rule (1) shall be subject to revision on the completion of the detailed investigation and inquiries, if any.

(3) If the amount of pension granted to a Government servant under sub-rule (1) is afterwards found to be in excess of that to which he is entitled under these rules, he shall be called upon to refund such excess in the manner and under the conditions specified in rule 61. If, however, the amount of gratuity so disbursed proves to be larger than the amount finally assessed, the gratuitant shall not be required to refund the excess actually disbursed to him.

**65. Provisional pension where departmental or judicial proceedings may be pending.** — (1) (a) In respect of a Government servant referred to in sub-rule (4) of rule 9, the Audit Officer shall authorise the payment of provisional pension not exceeding the maximum pension which would have been admissible on the basis of the qualifying service upto the date of retirement of the Government servant, or if he was under suspension on the date of retirement, upto the date immediately preceding the date on which he was placed under suspension.

(b) The provisional pension shall be authorised by the Audit Officer during the period commencing from the date of retirement to the date on which, upon conclusion of the departmental or judicial proceedings, final orders are passed by the competent authority.

(c) No gratuity shall be authorised to the Government servant until the conclusion of such proceedings and issue of final orders thereon.

(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such Government servant upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

(3) Nothing contained in this rule shall prejudice the operation of rule 6 when final pension is sanctioned upon the conclusion of the departmental or judicial proceedings.

#### Non-Gazetted Government servants

**66. Preparation of pension papers.** — (1) Every Head of Office shall undertake the work of preparing pension papers in Form 7 one year before the date on which a Government servant is due to retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement whichever is earlier. This work shall not be delayed till the Government servant has actually submitted his application in writing for pension in Form 5.

(2) (a) The Head of Office shall send to every Government servant the application for pension in Form 5 one year in advance of the date of which the Government servant attains the age of superannuation, or before the date of his anticipated retirement, if earlier, with the request that it should be returned to him duly completed within a period of three months from the date of issue of intimation to the Government servant by him but in no case later than the actual date of retirement.

(b) The Head of Office shall also draw attention of the retiring Government servant to the provisions of rule 83.

*Explanation.* — In this rule and in rules 67 to 74 (both inclusive), the expression «Government servant» means a non-gazetted Government servant including a gazetted Government servant referred to in sub-rule (1) of rule 59.

**67. Verification of service.** — (1) The Head of Office shall prepare in Section I of Part II of Form 7 a statement of the Government servant's service.

(2) (a) The Head of Office shall go through the service book and the service roll, if any, of the Government servant and satisfy himself as to whether the annual certificates of verification for the entire service are recorded therein.

(b) In respect of the unverified portion or portions of service, he shall arrange to verify it or them, as the case may be, with reference to pay bills, acquittance rolls or other relevant records and record necessary certificates in the service book or service rolls, as the case may be.

(3) If the service for any period is not capable of being verified in the manner specified in sub-rule (2), that period of service having been rendered by the Government servant in another Office or Department, a reference shall be made to the Head of that Office or, as the case may be, Head of that Department in which the Government servant is shown to have served during that period for the purpose of verification.

(4) (a) If any portion of service rendered by a Government servant is not capable of being verified in the manner specified in sub-rule (2) or sub-rule (3), the Government servant shall file a written statement on plain paper stating that he had in fact rendered that period of service, and shall, at the foot of the statement, make and subscribe to a declaration as to the truth of that statement, and shall, in support of such declaration, produce all documentary evidence and furnish all information which is in his power to produce or furnish.

(b) The authority competent to sanction pension to that Government servant shall, after taking into consideration the facts in the written statement and the evidence produced and the information furnished by that Government servant in support of the said period of service admit, if satisfied, that portion of service as having been rendered for the purposes of calculating the pension of that Government servant.

**68. Completion of pension papers.** — (1) After completing the service statement mentioned in rule 67, the Head of Office shall complete Part I of Form 7, irrespective of the fact whether an application for pension has been received from the Government servant or not.

(2) If at the time of completing Part I of Form 7 the said application from the Government servant has not been received, the relevant columns in Part I of Form 7 shall be left unfilled and relevant entries made as soon as the said application is received.

**69. Forwarding of pension papers to Audit Officer.** — (1) (a) After complying with the requirements of rule 68, the Head of Office shall certify in Form 6 as to whether the character, conduct and

past service of the Government servant are such as to entitle him to the favourable consideration of the pension sanctioning authority.

(b) The Head of Office shall also record in Form 6 his opinion as to whether the service claimed has been established and should be admitted or not.

(c) Where the Head of Office is not the pension sanctioning authority, he shall obtain the orders of such authority in Form 6.

(2) (a) After completing Form 6, the Head of Office shall send Forms 6 and 7 in original to the Audit Officer, with a covering letter in Form 8 along with the Government servant's service book and service roll, if any, duly completed up-to-date and any other documents relied upon for the verification of the service claimed, in such a manner that they can be conveniently consulted.

(b) The Head of Office shall retain one copy of each of the above Forms for his office record.

(3) Where payment is desired in another circle of audit, the Head of Office shall send in duplicate Forms 6 and 7 to the Audit Officer.

**70. Intimation to Audit Officer regarding any event having a bearing on pension.** — (1) If, after the pension papers have been forwarded to the Audit Officer, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Audit Officer by the pension sanctioning authority.

(2) Where the pension papers have been sent to the Audit Officer before the actual date of retirement of the Government servant, a certificate as to the satisfactory nature of service rendered by the Government servant for the period from the date of admitting the service by the pension sanctioning authority to the date of actual retirement together with a copy of the order specifying the date of actual retirement shall be forwarded to the Audit Officer within a week from the date of actual retirement of the Government servant.

(3) The Head of Office shall furnish to the Audit Officer, at least fourteen days before the date of retirement of the Government servant, the following particulars, namely: —

(a) Government dues recoverable out of the gratuity before payment is authorised, that is to say, —

(i) contribution towards contributory family pension, if applicable;

(ii) Government dues which have been ascertained and assessed;

(b) amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far:

Provided that the Head of Office shall not be required to withhold an amount of gratuity for adjustment of Government dues which have not been assessed, if under rule 76 the Government servant has made a cash deposit or furnished a surety of a permanent Government servant.

**71. Sanction, drawal and disbursement of provisional pension and of gratuity.** — (1) After the pension papers of a Government servant have been sent to the Audit Officer concerned, the Head of Office shall draw provisional pension not exceeding the

maximum pension and three-fourths of the gratuity as indicated in Part I of Form 7 and for this purpose adopt the following procedure, namely: —

(a) he shall issue a sanction letter to the Government servant endorsing a copy thereof to the Audit Officer indicating the amount of provisional pension and three-fourths of the gratuity payable to such Government servant on retirement from service;

(b) he shall indicate in the sanction letter the amount recoverable out of the gratuity under sub-rule (3) of rule 70;

(c) after the issue of the sanction letter he shall draw —

(i) the amount of provisional pension, and

(ii) the amount of three-fourths of the gratuity after deducting therefrom the dues mentioned in clause (b),

in Form TR-37-B appended to the Treasury Rules of the Central Government, from the Treasury at which the pay and allowances of the establishment are drawn by him;

(d) he shall obtain from such Government servant on retirement from service a certificate of non-employment as provided in rule 354 of the said Treasury Rules and append the same to the said Form TR-37B.

(2) The Head of Office shall take steps to draw and disburse the provisional pension and gratuity to the retired Government servant on the first day of the month following the month in which the Government servant retired from service.

(3) The payment of provisional pension shall continue for a period of six months from the date of retirement of the Government servant unless the period is extended by the Audit Officer under the proviso to sub-rule (1) of rule 73.

(4) The Head of Office shall inform the Audit Officer —

(a) as soon as the gratuity has been paid to the retired Government servant, and

(b) as soon as the provisional pension has been paid to the retired Government servant for a period of six months or for the period extended under the proviso to sub-rule (1) of rule 73, as the case may be.

(5) If the pensioner desires the payment of provisional pension or of gratuity or of both through money order or bank draft, the same shall be remitted to him through money order or bank draft at his cost.

**72. Drawal of balance of gratuity from Treasury or from Head of Office.** — (1) It shall be open to the Government servant to receive the payment of the balance of the gratuity from the Treasury from which the payment of final pension is desired by him or from the Head of Office.

(2) Where a Government servant desires to receive the payment of balance of the gratuity from the Head of Office, he shall communicate his option in this behalf to the Head of Office in writing before the date of his retirement.

(3) The Head of Office shall thereupon take steps to draw and disburse the balance of the gratuity

after the Audit Officer has issued the necessary authority as provided in sub-rule (4) of rule 73.

**73. Authorisation of final pension and balance of gratuity by the Audit Officer.** — (1) On receipt of the pension papers referred to in rule 69, the Audit Officer shall apply the requisite checks, record his audit enfacement on Section I of Part III of Form 7 and assess the amount of final pension and gratuity, within a period of six months from the date of retirement of the Government servant:

Provided that if the Audit Officer is, for any reason, unable to assess the amount aforesaid, he shall communicate the fact to the Head of Office under intimation to the Treasury Officer concerned and authorise the Head of Office to continue to disburse the provisional pension to the retired Government servant for such period as may be specified by the Audit Officer.

(2) (a) If the pension is payable in his circle of audit, the Audit Officer shall prepare the Pension Payment Order.

(b) The payment of pension shall be effective from the date following the date on which the payment of provisional pension ceased.

(c) Arrears of pension, if any, in respect of the period for which pension was drawn and disbursed by the Head of Office shall also be authorised by the Audit Officer.

(3) The Audit Officer shall authorise the payment of balance of the gratuity after adjusting the amount, if any, outstanding against the retired Government servant and if such balance is payable in his circle of audit, the Audit Officer shall prepare an order for its payment.

(4) If the Government servant has opted for receiving the payment of balance of the gratuity from the Head of Office, the Audit Officer shall issue the necessary authority in this behalf under intimation to the Government servant and the Treasury Officer indicating the amount, if any, which the Head of Office shall adjust before making payment to the Government servant.

(5) The fact of the issue of the Pension Payment Order and order for the payment of balance of the gratuity shall be promptly reported to the Head of Office and the pension papers which are no longer required shall be returned to him.

(6) The Audit Officer may authorise the payment of balance of the gratuity even during the period of the currency of provisional pension, provided the amount of gratuity has been finally assessed and no recovery of Government dues is outstanding against the Government servant.

(7) If the final pension and balance of the gratuity are payable in another circle of audit, the Audit Officer shall send a copy each of Form 6 and Form 7 along with his audit enfacement and the last pay certificate, if received, to the Audit Officer of that circle who shall prepare the Pension Payment Order and order for the payment of balance of the gratuity:

Provided that the adjustment of provisional pension and gratuity drawn and disbursed by the Head of Office shall be made by the Audit Officer in whose circle the provisional payments were made.

(8) If the amount of provisional pension drawn and disbursed by the Head of Office is found to be in excess of the final pension assessed by the Audit Officer, it shall be open to the Audit Officer to adjust the excess amount out of the balance of the gratuity, if any, or recover the excess amount by short payments of pension payable in future.

(9) If the amount of gratuity disbursed by the Head of Office proves to be in excess of the amount finally assessed by the Audit Officer, the gratuitant shall not be required to refund the excess.

**74. Provisional pension where departmental or judicial proceeding may be pending.** — (1) (a) In respect of a Government servant referred to in sub-rule (4) of rule 9, the Head of Office shall pay the provisional pension not exceeding the maximum pension which would have been admissible on the basis of qualifying service up to the date of retirement of the Government servant, or if he was under suspension on the date of retirement, upto the date immediately preceding the date on which he was placed under suspension.

(b) The provisional pension shall be paid by the Head of Office for a period of six months unless the period is extended by the Audit Officer under the proviso to sub-rule (1) of rule 73.

(c) No gratuity shall be paid to the Government servant until the conclusion of the departmental or judicial proceedings and issue of final orders thereon.

(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such Government servant upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

(3) Nothing contained in this rule shall prejudice the operation of rule 6 when final pension is sanctioned upon the conclusion of the departmental or judicial proceedings.

#### Government dues

**75. Recovery and adjustment of Government dues.** — (1) It shall be the duty of every retiring Government servant to clear all Government dues before the date of his retirement.

(2) Where a retiring Government servant does not clear the Government dues and such dues are ascertainable —

(a) an equivalent cash deposit may be taken from him, or

(b) out of the gratuity payable to him an amount equal to that recoverable on account of ascertainable Government dues shall be deducted therefrom.

*Explanation:* The expression "ascertainable Government dues" includes balance of house building or conveyance advance, arrears of rent and other charges pertaining to occupation of Government accommodation, over-payment of pay and allowances and arrears of income-tax deductible at source under the Income-tax Act, 1961 (43 of 1961).



**76. Furnishing of surety by retiring Government servant for.** — (1) (a) If any of the Government dues (other than those referred to in rule 75) remain unrealised and unassessed for any reasons, the retiring Government servant may be asked to furnish in Form 9 a surety of a suitable permanent Government servant.

(b) If the surety furnished by him is found acceptable, the grant of his pension and gratuity shall not be delayed.

(2) (a) If the retiring Government servant is unable or unwilling to furnish a surety, a suitable cash deposit may be taken from him, or, such portion of gratuity payable to him as may be considered sufficient may be held over till the outstanding dues are assessed and adjusted.

(b) The cash deposit to be taken or the amount of gratuity to be withheld shall not exceed the estimated amount of the outstanding dues plus twenty-five per cent thereof.

(c) Where it is not possible to estimate the approximate amount recoverable from the retiring Government servant the amount of deposit to be taken or the portion of gratuity to be withheld shall be limited to ten per cent of the amount of gratuity or one thousand rupees, whichever is less.

(3) (a) Effort shall be made to assess and adjust the recoverable Government dues within a period not exceeding six months from the date of retirement of the Government servant and, if no claim is made on Government account against the Government servant within such a period it shall be presumed that no Government claim is outstanding against him.

*Explanation:* In respect of dues pertaining to the occupation of Government accommodation by the Government servant, the period of six months shall reckon from the date of retirement, or from the date of complete vacation of the Government accommodation, whichever is later.

(b) The Government dues as assessed shall be adjusted against the cash deposit or the amount withheld from the gratuity and the balance, if any, shall be released to the retired Government servant after the expiry of the period referred to in clause (a).

(c) Where a pensioner has furnished a surety, the surety shall be released after the expiry of the period referred to in clause (a) provided the dues assessed up to that time have been recovered.

(4) The Government dues which remain unrealised within the period referred to in clause (a) of sub-rule (3) and such other dues, the claim for which is received after that period, shall be recoverable from the retired Government servant.

#### CHAPTER IX

Sanction of family pension and death-cum-retirement gratuity in respect of government servants dying while in service

**77. Payment of family pension and death-cum-retirement gratuity when a gazetted Government servant dies while in service.** — (1) Where the Head of Office has received an intimation about the death of a gazetted Government servant while in service, he shall communicate the fact to the Audit Officer concerned.

*Explanation:* — For the purpose of this rule, 'gazetted Government servant' means: —

(i) a Government servant who, before his death, had a lien or a suspended lien on a permanent pensionable service or post in a gazetted capacity but does not include a gazetted Government servant referred to in sub-rule (1) of rule 59; and

(ii) a Government servant other than a Government servant referred to in sub-rule (1) of rule (59), who before his death held pensionable service or post in gazetted capacity but had not held a lien or a suspended lien on any permanent pensionable service or post.

(2) On receipt of the information communicated under sub-rule (1), the Audit Officer shall ascertain whether any death-cum-retirement gratuity or family pension or both is or are payable in respect of the deceased Government servant.

(3) (a) Where the family of the deceased Government servant is eligible for the death-cum-retirement gratuity under rule 50, the Audit Officer shall ascertain —

(i) if the deceased Government servant had nominated any person or persons to receive the gratuity, and

(ii) if the deceased Government servant had not made any nomination or the nomination made does not subsist, the person or persons to whom the gratuity may be payable.

(b) The Audit Officer shall then address the person concerned in Form 10 or Form 11, as may be appropriate, for making a claim in Form 12.

(4) Where the family of the deceased Government servant is eligible for the contributory family pension under rule 54, —

(a) the Audit Officer shall address the widow or widower in Form 13 for making a claim in Form 14, and

(b) where the deceased Government servant is survived only by child or children, the guardian of such child or children may submit a claim in Form 14 to the Audit Officer:

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has attained the age of eighteen years and such daughter may herself submit a claim in the said Form.

(5) (a) Where the family of the deceased Government servant is eligible for non-contributory family pension under rule 55, the Audit Officer shall ascertain —

(i) if the deceased Government servant had nominated a member of his family to receive the payment of the non-contributory family pension; and

(ii) where the deceased Government servant had not made any nomination or the nomination made does not subsist, the person to whom the non-contributory family pension may be payable.

(b) The Audit Officer shall then address the person concerned in Form 15 or Form 16, as may be appropriate, for making a claim in Form 17.

(6) (a) Notwithstanding anything contained in sub-rule (3) to (5), the Head of Office shall furnish

to the Audit Officer the following particulars, namely:—

(i) Government dues recoverable out of the gratuity before payment is authorised, that is to say.

(A) contribution towards contributory family pension, if applicable;

(B) Government dues which have been ascertained and assessed;

(ii) amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far;

(iii) the orders of the pension sanctioning authority in Part III of Form 18;

(iv) such other particulars, including details of the family of the deceased Government servant for the purpose of obtaining claim, as the Audit Officer may require.

*Note:* The amount of gratuity to be held over under sub-clause (ii) shall be determined in accordance with the provisions of clauses (b) and (c) of sub-rule (2) of rule 76.

(b) If the orders of the pension sanctioning authority are not received by the Audit Officer within a month of the date of death of the Government servant, he shall assume that full death-cum-retirement gratuity and non-contributory family pension, if applicable, have been sanctioned.

(7) On receipt of the claim or claims, the Audit Officer shall complete Form 18 and finally assess the amount of death-cum-retirement gratuity or family pension or both.

(8) If the family pension is payable in his circle of audit, the Audit Officer shall prepare the Pension Payment Order.

(9) (a) The Audit Officer shall authorise the payment of gratuity after adjusting the amount, if any, outstanding against the deceased Government servant.

(b) The amount of gratuity held over under sub-clause (ii) of clause (a) of sub-rule (6) shall be adjusted by the Audit Officer against the Government dues ascertained and assessed subsequently and the balance, if any, shall be released to the claimant or claimants after the expiry of the period referred to in clause (a) of sub-rule (3) of rule 76.

(c) If the gratuity is payable in his circle of audit, the Audit Officer shall prepare an order for its payment.

(10) If the family pension and gratuity are payable in another circle of audit, the Audit Officer shall send the necessary payment authority to the Audit Officer of that circle who shall prepare the Pension Payment Order and order for the payment of gratuity.

(11) The fact of the issue of the Pension Payment Order and order for the payment of gratuity shall be promptly reported to the pension sanctioning authority.

**78. Sanction of Anticipatory Gratuity and family Pension.**— (1) Where the amount of death-cum-retirement gratuity and family pension payable under rule 77 cannot be finally assessed and settled in accordance with the provisions of these rules within a reasonable time, the Audit Officer shall determine

the gratuity and the family pension, which, after the most careful summary investigation that he can make without delay, he believes the claimant to be entitled. He shall, after complying with the provisions of sub-rules (9), (10) and (11) of rule 77, authorise the disbursement of the family pension so determined as 'anticipatory family pension' and three-fourths of the amount of the gratuity so determined as 'anticipatory gratuity'.

(2) The anticipatory family pension and gratuity authorised under sub-rule (1) shall be subject to revision on completion of detailed investigation and inquiries, if any.

(3) If the amount of anticipatory family pension granted is afterwards found to be in excess of the final family pension assessed by the Audit Officer, it shall be open to the Audit Officer to adjust the excess by short payment of family pension payable in future. If, however, the amount of gratuity disbursed proves to be larger than the amount finally assessed by the Audit Officer, the gratuitant shall not be required to refund the excess actually disbursed to him.

**79. Payment of provisional family pension and death-cum-retirement gratuity when a non-gazetted Government servant dies while in service.**— (1) Where the Head of Office has received an intimation about the death of a non-gazetted Government servant while in service, he shall ascertain whether any death-cum-retirement gratuity or family pension or both is or are payable in respect of the deceased Government servant.

*Explanation.*— For the purposes of this rule and rule 80 the expression 'non-gazetted Government servant' includes:—

(i) a gazetted Government servant referred to in sub-rule (1) of rule 59, and

(ii) a gazetted Government servant who before his death did not hold a lien or a suspended lien on a permanent pensionable service or post in a gazetted capacity but held a lien or a suspended lien on a permanent pensionable service or post in non-gazetted capacity.

(2) (a) Where the family of the deceased Government servant is eligible for the death-cum-retirement gratuity under rule 50, the Head of Office shall ascertain:—

(i) if the deceased Government servant had nominated any person or persons to receive the gratuity; and

(ii) where the deceased Government servant had not made any nomination or the nomination made does not subsist, the person or persons to whom the gratuity may be payable.

(b) The Head of Office shall, then, address the person concerned in Form 10 or Form 11 as may be appropriate who may submit a claim in Form 12.

(3) Where the family of the deceased Government servant is eligible for the contributory family pension under rule 54.—

(a) the Head of Office shall address the widow or widower in Form 13 for making a claim in Form 14; and

(b) Where the deceased Government servant is survived only by child or children, the guardian of

such child or children may submit a claim in Form 14 to the Head of Office:

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has attained the age of eighteen years and such daughter may herself submit a claim in the said Form.

(4) (a) Where the family of the deceased Government servant is eligible for non-contributory family pension under rule 55, the Head of Office shall ascertain —

(i) if the deceased Government servant had nominated any member of his family to receive the payment of non-contributory family pension; and

(ii) where the deceased Government servant had not made any nomination or the nomination made does not subsist, the person to whom the non-contributory family pension may be payable.

(b) the Head of Office shall, then, address the person concerned in Form 15 or Form 16, as may be appropriate, for making a claim in Form 17.

(5) The Head of Office shall furnish to the Audit Officer the following particulars regarding the details of Government dues outstanding against the deceased Government servant, namely: —

(a) Government dues recoverable out of the gratuity before payment is authorised, that is to say, —

(i) contribution towards contributory family pension, if applicable;

(ii) Government dues which have been ascertained and assessed;

(b) amount of gratuity to be held over for adjustment of Government dues which have not been assessed so far.

*Note: —* The amount of gratuity to be held over shall be determined in accordance with the provisions of clauses (b) and (c) of sub-rule (2) of rule 76.

(6) (a) (i) On receipt of the claim or claims, the Head of Office shall complete Form 18 and certify in Part III of that Form as to whether the character, conduct and past service of the deceased Government servant were such as to entitle the family to the favourable consideration of the pension sanctioning authority in the matter of grant of death-cum-retirement gratuity and non-contributory family pension (if applicable).

(ii) The Head of Office shall also record in Part III of Form 18 his opinion as to whether the service claimed has been established and should be admitted or not.

(iii) Where the Head of Office is not the pension sanctioning authority, he shall obtain the orders of such authority in Form 18.

(b) After completing Form 18, the Head of Office shall send that Form in original to the Audit Officer with a covering letter in Form 19 along with the Government servant's service book and service roll, if any, duly completed upto date and any other documents relied upon for the verification of the service claimed in such a manner that they can be conveniently consulted.

(c) The Head of Office shall retain one copy of the aforesaid Form for his office record.

(d) If the Payment is desired in another circle of audit, Form 18 shall be sent in duplicate to the Audit Officer.

(7) After the documents referred to in sub-rules (5) and (6) have been sent to the Audit Officer concerned, the Head of Office shall draw provisional family pension not exceeding the maximum family pension and three-fourths of the gratuity as indicated in Part I of Form 18 and for this purpose adopt the following procedure, namely:—

(a) he shall issue a sanction letter in favour of the claimant or claimants endorsing a copy thereof to the Audit Officer indicating the amount of provisional family pension and three-fourths of the gratuity payable under these rules;

(b) he shall indicate in the sanction letter the amount recoverable out of the gratuity under sub-rule (5);

(c) after issue of the sanction letter, he shall draw —

(i) the amount of provisional family pension; and

(ii) the amount of three-fourths of the gratuity after deducting therefrom the dues mentioned in clause (b);

from the Treasury at which the pay and allowances of the establishment are drawn by him.

(8) The Head of Office shall disburse the provisional family pension and gratuity to the claimant or claimants on or after the first day of the month following the month in which the Government servant died.

(9) The payment of provisional family pension shall continue for a period of six months from the date following the date of death of the Government servant unless the period is extended by the Audit Officer under the proviso to sub-rule (1) of rule 80.

(10) The Head of Office shall inform the Audit Officer —

(a) as soon as the gratuity has been paid to the claimant or claimants, and

(b) as soon as the provisional family pension has been paid for a period of six months, or for the period extended under the proviso to sub-rule (1) of rule 80, as the case may be.

(11) If the claimant desires the payment of provisional family pension or of gratuity or of both through money order or bank draft, the same shall be remitted to him through money order or bank draft at his cost.

**80. Authorisation of final family pension and balance of gratuity in respect of a deceased non-gazetted Government servant referred to in rule 79. —** (1)

On receipt of the documents referred to in sub-rules (5) and (6) of rule 79, the Audit Officer shall, within a period of six months from the date of death of the non-gazetted Government servant, apply the requisite checks, record his audit endorsement on Section I of Part IV of Form 18 and assess the amount of final family pension and gratuity:

Provided that if the Audit Officer is, for any reason, unable to assess the amount within the period aforesaid, he shall communicate the fact to the Head

of Office under intimation to the Treasury Officer concerned and authorise the Head of Office to continue to disburse the provisional family pension to the claimant for such period as may be specified by the Audit Officer.

(2) (a) If the family pension is payable in his circle of audit, the Audit Officer shall prepare the Pension Payment Order.

(b) The payment of family pension shall be effective from the date following the date on which the payment of provisional family pension ceased.

(c) Arrears of family pension, if any, in respect of the period for which family pension was drawn and disbursed by the Head of Office shall also be authorised by the Audit Officer.

(3) (a) The Audit Officer shall authorise the payment of balance of the gratuity after adjusting the amount, if any, outstanding against the deceased Government servant.

(b) The amount of gratuity held over under sub-rule (5) of rule 79 shall be adjusted by the Audit Officer against the Government dues ascertained and assessed subsequently and the balance, if any, shall be released to the claimant or claimants after the expiry of the period referred to in clause (a) of sub-rule (3) of rule 76.

(c) If the balance of gratuity is payable in his circle of audit, the Audit Officer shall prepare an order for its payment.

(4) The fact of the issue of the Pension Payment Order and order for the payment of balance of the gratuity shall be promptly reported to the Head of Office and the documents which are no longer required shall be returned to him.

(5) The Audit Officer may authorise the payment of balance of the gratuity even during the period of the currency of provisional family pension:

Provided that the amount of gratuity has been finally assessed and no recovery of Government dues is outstanding against the deceased Government servant.

(6) If the final family pension and the balance of the gratuity are payable in another circle of audit, the Audit Officer shall send a copy of Form 18 along with the audit encasement and the last pay certificate, if received, to the Audit Officer of that circle who shall prepare the Pension Payment Order and order for the payment of balance of the gratuity:

Provided that the adjustment of provisional family pension and gratuity drawn and disbursed by the Head of Office shall be made by the Audit Officer in whose circle the provisional payments were made.

(7) If the amount of provisional family pension drawn and disbursed by the Head of Office is found to be in excess of the final family pension assessed by the Audit Officer, it shall be open to the Audit Officer to adjust the excess amount out of the balance of the gratuity, if any, or recover the excess amount by short payments of family pension payable in future.

(8) If the amount of gratuity disbursed by the Head of Office proves to be larger than the amount finally assessed by the Audit Officer, the gratuitant shall not be required to refund the excess.

## CHAPTER X

### Sanction of family pension and residuary gratuity in respect of deceased pensioners

**81. Sanction of family pension and residuary gratuity on the death of a pensioner.**— (1) Where the Head of Office has received an intimation regarding the death of a retired Government servant who was in receipt of pension, he shall ascertain whether any family pension or residuary gratuity or both is or are payable in respect of the deceased pensioner:

Provided that the Head of Office may, when he considers it necessary so to do, consult the Audit Officer.

(2) (a) (i) If the deceased pensioner is survived by a widow or widower who is eligible for the grant of contributory family pension under rule 54, the amount of contributory family pension as indicated in the Pension Payment Order shall become payable to the widow or widower, as the case may be, from the day following the date of death of the pensioner.

(ii) On receipt of an application from the widow or widower, the Treasury Officer from whom the deceased pensioner was drawing his or her pension shall authorise the payment of contributory family pension to the widow or widower, as the case may be.

(b) (i) Where the deceased pensioner is survived by child or children, the guardian of the child or children may submit a claim in Form 14 to the Head of Office for the payment of contributory family pension:

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has attained the age of eighteen years and such daughter may herself submit a claim in the said Form.

(ii) On receipt of a claim from the guardian, the Head of Office shall sanction the contributory family pension in Form 20.

(c) (i) Where a widow or widower in receipt of contributory family pension remarries and has, at the time of remarriage, child or children from the former spouse who is or are eligible for contributory family pension, the remarried individual shall be eligible to draw the contributory family pension on behalf of such child or children if such individual continues to be the guardian of such child or children.

(ii) For the purposes of sub-clause (i), the remarried individual shall apply to the Head of Office on plain paper furnishing the following particulars, namely:—

(A) a declaration that the applicant continues to be the guardian of such child or children;

(B) the date of remarriage;

(C) the name and date of birth of the child or children from the former spouse;

(D) the Treasury from where payment of contributory family pension on behalf of such child or children is desired;

(E) full postal address of the applicant.

(iii) If the remarried individual has, for any reason, ceased to be the guardian of such child or children, the contributory family pension shall become payable to the person entitled to act as guardian of such child or children under the law for the

time being in force and such person may submit a claim in Form 14 to the Head of Office for the payment of contributory family pension.

(iv) On receipt of the claim referred to in sub-clause (iii) the Head of Office shall sanction contributory family pension in Form 21.

(d) (i) Where a widow or widower, in receipt of contributory family pension dies and leaves behind child or children who is or are eligible for contributory family pension, the guardian may submit a claim in Form 14 to the Head of Office for the payment of contributory family pension:

Provided that the guardian shall not be required to submit a claim in the said Form on behalf of the unmarried daughter if she has completed the age of eighteen years and such daughter may herself submit a claim in the said Form.

(ii) On receipt of a claim from the guardian, the Head of Office shall sanction contributory family pension in Form 21.

(3) (a) In case the deceased pensioner was governed by the non-contributory family pension and his death had taken place within five years of his retirement, the non-contributory family pension shall become payable to the eligible member of the family of the deceased pensioner as provided in rule 55 for the unexpired period of five years from the date of retirement of the deceased.

(b) On receipt of a claim in Form 17 from such member, the Head of Office shall sanction the non-contributory family pension for the unexpired period aforesaid.

(4) Where on the death of a retired Government servant a residuary gratuity becomes payable to the family of the deceased under sub-rule (2) of rule 50, the Head of Office shall sanction its payment on receipt of a claim or claims in Form 22 from the person or persons eligible to receive the residuary gratuity.

**82. Authorisation of payment by Audit Officer.** — On receipt of the sanction under rule 80 regarding the payment of family pension or of residuary gratuity or of both, the Audit Officer shall authorise the payment of the same.

#### CHAPTER XI

#### Payment of pensions

**83. Date from which pension becomes payable.** — (1) Except in the case of a Government servant to whom the provisions of rule 37 apply and subject to the provisions of rules 9, 65 and 74 a pension other than family pension shall become payable from the date on which a Government servant ceases to be borne on the establishment, or from the date of his application for pension in Form 5, whichever is later:

Provided that the pension sanctioning authority may condone the delay in the submission of the application for pension if such authority is satisfied that the Government servant was prevented by sufficient cause from making the application and where the delay is condoned the pension shall take effect from the date of retirement.

(2) Pension including family pension shall be payable for the day on which its recipient dies.

**84. Currency in which pension is payable.** — (1) Except as otherwise provided in this rule, all pensions shall be payable in rupees in India.

(2) In the case of a non-Indian Government servant who entered service before the 10th September, 1949, and who on retirement takes up his residence in any of the countries mentioned in column (1) of the Table below, payment of pension, other than death-cum-retirement gratuity and family pension, may be made in sterling at the minimum rate of conversion of 1s 9d to the rupee for the period of such residence through the authority mentioned in the corresponding entry in column (2) of the said Table:

Provided that the minimum rate of conversion of 1s 9d to the rupee shall not apply to those territories included in the said Table where the Indian rupee is either legal or current tender or whose currency is at par with the Indian rupee.

*Explanation:* For the purposes of this sub-rule, the expression "non-Indian" means a person, who on the date of his retirement, was a citizen of a country other than India.

THE TABLE

Name of country (1)	Authority for purposes of payment of pension (2)
1. Peoples' Democratic Republic of Yemen	The Chief Accountant, Treasury Aden, Aden.
2. Australia	The High Commissioner for India in Australia, Canberra.
3. Iraq	The First Secretary, Embassy of India, Baghdad.
4. Kenya	The High Commissioner for India in Kenya, Nairobi.
5. Burma	The Accountant General, Burma, Rangoon.
6. Ceylon	The Secretary to the General Treasury, Colombo, Ceylon.
7. Republic of Tanzania	The High Commissioner for India in Tanzania, Dar-Es-Salam.
8. Malaysia	The Accountant General, The Treasury Kuala Lumpur, Malayasia.
9. Italy	The First Secretary, Indian Embassy, Rome.
10. New Zealand	The High Commissioner of India in New Zealand, Wellington.
11. Saudi Arabia	The First Secretary, Embassy of India, Jeddah.
12. Singapore	The Accountant General, Singapore.
13. Somalia	The Regional Accountant, The Treasury Hargeisa.
14. United Kingdom	The Chief Accounting Officer, The High Commission of India, London.

(3) A pensioner referred to in sub-rule (2) shall be entitled to convert his pension at the minimum rate from the date he leaves India:

Provided that where the pensioner leaves India within a period of six months of his retirement he shall be entitled to convert his pension at the minimum rate from the date it has been paid in India or if no payment has been made there, from the date of its commencement.

(4) A pensioner referred to in sub-rule (2), who has been allowed to convert his pension at the mini-



minimum rate and who returns to India and continues to draw his pension through the concerned authority mentioned in column (2) of the Table below that sub-rule, shall be allowed the benefit of the minimum rate for a period of six months from the date of such return.

(5) Where a pensioner referred to in sub-rule (2) has commuted any portion of his pension after the 4th December, 1928, the pension shall be converted at the rate of exchange prescribed by the President, and to the resulting pension shall be added, so long as he remains entitled to the minimum rate, the difference between the values of the full pension (less any portion commuted before the 5th December, 1928) converted at that rate and at the rate of exchange prescribed by the President respectively.

(6) An Indian pensioner, who retired from service before the 12th June, 1956 and who, before that date, took up residence in any of the countries mentioned in column (1) of the Table below sub-rule (2), shall continue to enjoy the concession of conversion of his pension into sterling at the minimum rate of 1s 9d to the rupee during the continuance of his residence in such territory:

Provided that the minimum rate of conversion of 1s 9d to the rupee shall not apply to those territories included in the said Table where the Indian rupee is either legal or current tender or whose currency is at par with the Indian rupee.

#### 85. Manner of payment of gratuity and pension. —

(1) Except as otherwise provided in these rules, a gratuity shall be paid in lump sum.

(2) A pension fixed at monthly rates shall be payable monthly on or after the first day of the following month.

86. Application of Treasury Rules. — Save as otherwise provided in these rules, the Treasury Rules of the Central Government shall apply in regard to the procedure of payment, —

- (i) of gratuity,
- (ii) of pension,
- (iii) of pension undrawn for more than a year, and
- (iv) of pension in respect of a deceased pensioner.

#### CHAPTER XII

##### Miscellaneous

87. Interpretation. — Where any doubt arises as to the interpretation of these rules, it shall be referred to the Government in the Ministry of Finance for decision.

88. Power to relax. — Where any Ministry or department of the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, that Ministry or department, as the case may be, may, by order for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may

consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Ministry of Finance.

89. Repeal and saving. — (1) On the commencement of these rules, every rule, regulation or order including Office Memorandum (hereinafter referred to in this rule as the old rule) in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these rules, cease to operate.

(2) Notwithstanding such cesser of operation —

(a) (i) every nomination for the payment of death-cum-retirement gratuity, or of non-contributory family pension.

(ii) every form regarding the details of family of a Government servant for the purpose of contributory family pension, and

(iii) every formal application for the sanction of pension, which a Government servant had made or given under the old rule shall be deemed to have been made or given under the corresponding provisions of these rules;

(b) any nomination for the payment of death-cum-retirement gratuity or of non-contributory family pension, any form regarding the details of family of a Government servant for the purpose of contributory family pension or any formal application for the sanction of pension, required to be made or given by a Government servant under the old rule but not made or given before the commencement of these rules shall be made or given after such commencement in accordance with the provisions of these rules;

(c) any case which pertains to the sanction of pension to a Government servant who had retired before the commencement of these rules and is pending before such commencement shall be disposed of in accordance with the provisions of the old rule as if these rules had not been made;

(d) any case which pertains to the sanction of death-cum-retirement gratuity and family pension to the family of a deceased Government servant or of a deceased pensioner and is pending before the commencement of these rules shall be disposed of in accordance with the provisions of the old rule as if these rules had not been made;

(e) subject to the provisions of clauses (c) and (d), anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these rules.

#### FORM 1

(See rule 53(1))

##### Nomination for death-cum-retirement gratuity

When the Government servant has a family and wishes to nominate one member, or more than one member, thereof.

I hereby nominate the person/persons mentioned below who is/are member (s) of my family, and confer on him/them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the Central Government in the event of my death while in service and the right

to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death: —

Original nominee(s)			Alternate nominee(s)		
Names and addresses of nominee/nominees	Relationship with the Government servant	Age	Amount or share of gratuity payable to each *	Name, address relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the Government servant or the nominee dying after the death of the Government servant but before receiving payment of gratuity	Amount or share of gratuity payable to each %
1	2	3	4	5	6

This nomination supersedes the nomination made by me earlier on ... which stand cancelled.

Note: (i) The Government servant shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.  
(ii) Strike out which is not applicable.

Dated this ... day of ... 197 at ...

Witnesses to signature

- 1. ...
- 2. ...

Signature of Government servant.

\* This column should be filled in so as to cover the whole amount of the gratuity.  
% The amount/share of the gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

(To be filled in by the Head of Office/Audit Officer)

Nomination by ... Signature of Head of Office/Audit Officer  
Designation ... Date ...  
Office ... Designation ...

PROFORMA FOR ACKNOWLEDGING THE RECEIPT OF THE NOMINATION FORM BY THE HEAD OF OFFICE/AUDIT OFFICER

To

- ...
- ...
- ...

Sir,

In acknowledging the receipt of your nomination dated the .../cancellation dated the ... of the nomination made

earlier in respect of gratuity in Form ..., I am to state that it has been fully placed on record.

Place ... Signature of Head of Office/Audit Officer  
Dated the ... (Designation)

Note: The Government servant is advised that it would be in the interest of his nominees if copies of the nominations and the related notices and acknowledgments are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

FORM 2  
[See rule 53(1)]

Nomination for death-cum-retirement gratuity

When the Government servant has no family and wishes to nominate one person or more than one person.

I, having no family, hereby nominate the person/persons mentioned below and confer on him/them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the Central Government in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death: —

Original nominee(s)			Alternate nominee(s)		
Names and addresses of nominee/nominees	Relationship with Government Servant	Age	Amount or share of gratuity payable to each *	Name, address, relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the Government servant or the nominee dying after the death of the Government servant but before receiving payment of gratuity	Amount or share of gratuity payable to each %
1	2	3	4	5	6

This nomination supersedes the nomination made by me earlier on ... which stands cancelled.

Note: (i) The Government servant should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.  
(ii) Strike out which is not applicable.

Dated this ... day of ... 197 at ...

Witnesses to signature.

- 1. ...
- 2. ...

Signature of Government servant.

\* This column should be filled in so as to cover the whole amount of the gratuity.  
% The amount/share of the gratuity shown in this column should cover the whole amount/share payable to the original nominee(s).

(To be filled in by the Head of Office/Audit Officer)

## FORM 4

[See rule 55(7)]

Nomination by ...

Signature of Head of Office/  
/Audit Officer

Designation ...

Date ...

Office ...

Designation ...

PROFORMA FOR ACKNOWLEDGING THE RECEIPT OF  
THE NOMINATION FORM BY THE HEAD OF OFFICE/  
/AUDIT OFFICER

To

...

...

Sir,

In acknowledging the receipt of your nomination dated the .../cancellation dated the ... of the nomination made earlier in respect of gratuity in Form ..., I am to state that it has been duly placed on record.

Place

Signature of Head of Office/  
Audit Officer

Dated the ...

(Designation)

Note: The Government servant is advised that it would be in the interest of his nominees if copies of the nominations and the related notices and acknowledgments are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

## FORM 3

[See rule 54(12)]

## Details of family

Name of the Government servant:

Designation:

Date of birth:

Date of appointment:

Details of the members of my family\* as on ...

Sl. No.	Names of the members of 'family'	Date of Birth	Relationship with the officer	Initials of the Head of Office	Remarks
1	2	3	4	5	6
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					

I hereby undertake to keep the above particulars up-to-date by notifying to the Audit Officer/Head of Office any addition or alteration.

Place:

(Signature of Government  
servant)

Dated the ...

\* Family for this purpose means

- (a) wife, in the case of a male Government servant;
- (b) husband, in the case of a female Government servant;
- (c) sons below eighteen years of age and unmarried daughters below twenty-one years of age, including such son or daughter adopted legally before retirement.

Note: Wife and husband shall include respectively judicially separated wife and husband.

## Nomination for non-contributory family pension

I ... hereby nominate the persons mentioned below, who are members of my family to receive in the order shown below the non-contributory family pension which may be granted by the Central Government in the event of my death after completion of ten years qualifying service.

Name and address of nominee	Relationship with the Government servant	Age	Whether married or unmarried
-----------------------------	--	-----	------------------------------

This nomination supersedes the nomination made by me earlier on ... which stands cancelled.

Note: The Government servant should draw lines across blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this ... day of ... 197 at ...

Witnesses to signature

1. ...

Signature of Government  
servant.

2. ...

Designation

(To be filled in by the Head of Office/Audit Officer)

Nomination by ...

Signature of Head of Office/  
/Audit Officer

Designation ...

Dated ...

Office ...

Designation ...

PROFORMA FOR ACKNOWLEDGING THE RECEIPT OF  
THE NOMINATION FORM BY THE HEAD OF OFFICE/  
/AUDIT OFFICER

To

...

...

...

Sir,

In acknowledging the receipt of your nomination dated the ... cancellation dated the ... of the nomination made earlier in respect of non-contributory family pension in Form ..., I am to state that it has been duly placed on record.

Place:

Signature of Head of Office/  
/Audit Officer

Dated the ...

Designation ...

## FORM 5

[See rules 58(1), 63(1), 66 and 82(1)]

## Application for pension

From

...

To

...

Subject: — Application for sanction of pension.

Sir,

I beg to say that I am due to retire from service with effect from the ..., my date of birth being ... I therefore request that steps may kindly be taken with a view to the pension and gratuity admissible to me being sanctioned by the date of my retirement. I desire to draw my pension from ... Treasury.

2. I hereby declare that I have neither applied for, nor received, any pension or gratuity in respect of any portion of the service qualifying for this pension and in respect of which pension and gratuity are claimed herein nor shall I submit an application hereafter without quoting a reference to this application and the orders which may be passed hereon.

## 3. I enclose herewith: —

- (i) two specimen signature of mine, duly attested;
- @ (ii) three copies of a passport size joint photograph with my wife/husband;
- \* (iii) two slips each bearing my left hand thumb and finger impressions, duly attested;
- (iv) two slips showing the particulars of my height and identification marks, duly attested.

\*\*4. My present address is ... and my address after retirement will be ...

(Signature)

Designation

Place:

Dated the ...

@ Only two copies of passport size photograph of self need be furnished:

- (i) if the Government servant is governed by rule 54 of the Central Civil Services (Pension) Rules, 1972, and is unmarried or a widower or a widow;
- (ii) if the Government servant is governed by rule 55 of the Central Civil Services (Pension) Rules, 1972.

\* This is required only in the case of a person who is not literate enough to sign his name. If such a Government servant on account of physical disability is unable to give left hand thumb and finger impressions, he may give the thumb and finger impressions of the right hand. Where a Government servant has lost both the hands he may give his toe impressions. Impressions should be duly attested.

\*\* Any subsequent change of address should be notified to the Audit Officer/head of Office.

## FORM 6

[See rules 60 (1), 63(3), 69 and 73(7)]

## Form for sanctioning pension

(To be sent in duplicate if payment is desired in a different circle of audit).

1. Name of the Government servant.
2. Father's name (and also husband's name in the case of a female Government servant).
3. (a) Present or last appointment, including name of establishment.
  - (i) Substantive
  - (ii) Officiating, if any.
- (b) Remarks by the Receiving Authority.
  - (i) As to the character, conduct and Good/fair past service of the Government servant. Indifferent/Bad
  - (ii) Explanation of any suspension or degradation.

(iii) Any other remarks.

(iv) Specific opinion of the Receiving Authority whether the service claimed is established and should be admitted or not.

## 4. Orders of the pension sanctioning authority

- (a) The undersigned having satisfied himself that the service of Shri/Shrimati/Kumari ... has been thoroughly satisfactory hereby orders the grant of the full pension/death-cum-retirement gratuity/service gratuity which may be accepted by the Audit Officer as admissible under the Central Civil Services (Pension) Rules, 1972.

OR

The undersigned having satisfied himself that the service of Shri/Shrimati/Kumari ... has not been thoroughly satisfactory hereby orders that the full pension or gratuity or both which may be accepted by the Audit Officer as admissible under the Central Civil Services (Pension) Rules, 1972, shall be reduced by the specified amount or percentage indicated below: —

Amount of reduction in the pension ...

Amount of reduction in the gratuity ...

The grant of pension or gratuity shall take effect from ...

- (b) In the event of death of Shri/Shrimati ... after retirement, a contributory family pension Rs. ... will be admissible to Shrimati/Shri ... under rule 54 of the Central Civil Services (Pension) Rules, 1972.
- (c) The following service of the Government servant has been approved for the grant of additional pension under rule 46 of the Central Civil Services (Pension) Rules, 1972.
  - Post/Posts held ...
  - Period of service ...
- (d) This order is subject to the condition that if the amount of pension as authorised be afterwards found to be in excess of the amount to which the Government servant is entitled under the Central Civil Services (Pension) Rules, 1972, he/she shall be called upon to refund such excess.
- (e) The pension and gratuity are chargeable to the Head of Account ...

Place:

Dated the ...

Signature and designation of the pension sanctioning authority.

## FORM 7

[See rules 62, 63(6), 66(1), 67(1), 68, 69(2) and (3), 71(1) and 73(1) and (7)].

## Form for assessing pension and gratuity

(To be sent in duplicate if payment is desired in a different circle of audit).

## Part I

1. Name of the Government servant.
2. Father's name (and also husband's name in the case of a female Government servant).
3. Date of birth (by Christian era).
4. Religion and nationality.
5. Permanent residential address showing village/town, district and State.
6. Present or last appointment including name of establishment: —
  - (i) Substantive ...
  - (ii) Officiating, if any ...
7. Date of beginning of service.
8. Date of ending of service.

9. (i) Total period of military service for which pension/gratuity was sanctioned.

(ii) Amount and nature of any pension/gratuity received for the military service.

10. Amount and nature of any pension/gratuity received for previous civil service.

11. Government under which service has been rendered in order of employment.

12. Interruption and non-qualifying service.

13. Length of qualifying service.

14. Class of pension or service gratuity applied for by the Government servant and cause of application.

(In case of invalid pension, medical certificate to be attached).

15. Whether the Government servant is a pre-1938 entrant and Chapter VI of the Central Civil Services (Pension) Rules, 1972, applies to him.

16. Emoluments reckoning for gratuity.

17. Average emoluments reckoning for pension.

18. Date on which Government servant applied for pension in Form 5.

19. Proposed pension.

20. Proposed death-cum-retirement gratuity.

21. Proposed service gratuity, if any.

22. Date from which pension is to commence.

23. Proposed amount of the provisional pension if departmental or judicial proceeding is instituted against the Government servant before retirement.

24. Whether nomination made for.

(i) Death-cum-retirement gratuity.

(ii) Non-contributory family pension, if applicable.

25. Whether the Government servant has paid all the Government dues.

26. Whether contributory family pension applies to the Government servant, and if so:—

(i) emoluments reckoning for contributory family pension.

(ii) the amount of contribution to be recovered out of the gratuity.

(iii) the amount of the contributory family pension becoming payable to the wife/husband of the Government servant in the event of his/her death after retirement.

(iv) the name of wife/husband.

(v) Date of birth of wife/husband.

27. Height.

28. Identification marks.

29. Place of payment of pension/gratuity (Treasury or Sub-Treasury).

30. Head of Account to which pension and gratuity are debitable.

Place ...

Dated the ...

Signature of Head of Office/  
Audit Officer

## Part II

### Section I

Details of service (showing interruption) of Shri/Shrimati/Kumari ...

Date of Birth ...

Establishment	Appointment	Officiating/ Substantive	Date of beginning of service	Date of ending of service	Period reckoning as service	Period not reckoning as service	Remarks by the Audit Officer
					Y. M. D.	Y. M. D.	
1	2	3	4	5	6	7	8

Total period of service ...

Note: 1. If the Government servant has rendered any military service which qualifies for civil pension, date of beginning and date of ending of each period of such service should be indicated.

2. The Audit Officer should record briefly in column 8 his reasons for disallowing any service claimed. Any other disallowance should be recorded with reasons therefor in the audit encagement in Section I of Part III of this Form.

### Section II

\*Emoluments drawn during the last three years of service

Post held From To Pay Personal/Special Pay

Average emoluments:

\*In a case where the last three years include some period not to be reckoned for calculating average emoluments an equal period backwards has to be taken for calculating the average emoluments.

### Section III

Details of non-qualifying service

- |  |      |    |
|--|------|----|
| 1. Interruption (s)                                | From | To |
| 2. Extraordinary leave not qualifying for pension  |      |    |
| 3. Period of suspension not treated as qualifying. |      |    |
| 4. Any other service not treated as qualifying.    |      |    |

TOTAL

### Section IV

Period of service not verified with reference to acquittance Rolls.

Whether the above period has been verified in accordance with the provisions of rule 67 of the Central Civil Services (Pension) Rules, 1972.



## Part III

## Section I

## Audit enforcement

1. Total period of qualifying service which has been accepted for the grant of superannuation/retiring/invalid/compensation/compulsory retirement pension/gratuity, with reasons for disallowance, if any, other than disallowance indicated in Part II of this Form).

**Note:**—Service for the period commencing from... and upto the date of retirement has not yet been verified; this should be done before the Pension Payment Order is issued.

2. Amount of superannuation/retiring/invalid/compensation/compulsory retirement pension/gratuity, that has been admitted.
3. Amount of superannuation/retiring/invalid/compensation/compulsory retirement pension/gratuity, admissible after taking into account reduction, if any, in pension and gratuity made by the pension sanctioning authority.
4. Total period of qualifying service which has been approved for the grant of additional pension.
5. The amount of additional pension, if any, that has been admitted.
6. The date from which additional pension is admissible.
7. The date from which superannuation retiring/invalid/compensation/compulsory retirement pension/gratuity is admissible.
8. Head of Account to which superannuation/retiring/invalid/compensation/compulsory retirement pension and additional pension/gratuity is chargeable.
9. The amount of contributory family pension becoming payable to the entitled members of the family in the event of death of the Government servant after retirement.

Accounts Officer

Assistant Accountant General.

## Section II

1. Name of the Government servant.
2. Date of submission of Form 5 by the Government servant.
3. Class of pension or gratuity.
4. Pension sanctioning authority.
5. Amount of pension sanctioned.
6. Amount of gratuity sanctioned.
7. Date of commencement of pension.
8. Date of sanction.
9. Amount of contributory family pension admissible in the event of the death of the Government servant after retirement.
10. Amount recoverable from gratuity under sub-rule (4) of rule 50 of the Central Civil Services, (Pension) Rules, 1972.

11. The amount of cash deposit or the amount of gratuity held over for adjustment of unassessed Government dues.

## Part IV

## Instructions

1. **Average emoluments.**—The calculation of average emoluments, mentioned in item 17 of Part I should be based on the actual number of days contained in each month.
2. **Compensation pension or gratuity**—
  - (a) If the application is for a compensation pension or gratuity the particulars of the savings effected should be fully stated against item 14 of Part I of this Form.
  - (b) State why employment was not found elsewhere.
3. **Details of service**—
  - (a) Give date, month and year of the various appointments, promotions and cessations. For the purpose of adding towards broken periods, a month is reckoned as thirty days.
  - (b) All periods not reckoned as service should be distinguished.
4. **Identification marks.**—Specify a few conspicuous marks, not less than two, if possible.
5. **Name.**—When initials or name of the Government servant are or is incorrectly given in the various records consulted, mention this fact in the letter forwarding the pension papers.
6. **Date of retirement.**—Date of retirement to be indicated in the service book and the Last Pay Certificate, if any.
7. **Reinstatement.**—In the case of a Government servant who has been reinstated after having been suspended, compulsorily retired, removed or dismissed from service, brief statement leading to his reinstatement should be appended.
8. **Alterations.**—Alterations to be made in red ink under dated initials of a gazetted Government servant.

## FORM 8

(See rule 69(2))

Form of letter to the Audit Officer forwarding the pension papers of a Government servant

No ...  
Government of India  
Ministry of ...  
Department/Office  
Dated the

To

The Accountant General/Pay and Accounts Officer

...

...

Subject:—Pension papers of Shri/Shrimati/Kumari ... for authorisation of pension.

Sir,

I am directed to forward herewith the pension papers (as detailed in the list of enclosures) of Shri/Shrimati/Kumari ... of this Office/Department for further necessary action.

2. The receipt of this letter may be acknowledged.

Yours faithfully,

Head of Office

## List of enclosure

1. Form 6 containing the orders of the pension sanctioning authority and Form 7 with details of service, etc.
2. Medical certificate for invalidation (if the claim is for invalid pension).
3. Service book.

4. Memorandum of average emoluments reckoning for pension.
5. Last Pay Certificate.
6. (a) Two specimen signatures, duly attested by gazetted Government servant or in the case of pensioner not literate enough to sign his name, two slips bearing the left hand thumb and finger impressions, duly attested by a gazetted Government servant, and
  - ② (b) Three copies of passport size joint photograph with wife/husband duly attested by the Head of Office.
  - (c) Two slips showing the particulars of height and identification marks, duly attested.
7. Application for pension in Form 5.
8. Explanation for delay, if any, beyond one month from the date of retirement of the Government servant in forwarding Forms 6 and 7.
9. When the fact of service in another office is not satisfactorily attested in the service book, duly certified abstract from the Head of Office.
10. Written statement, if any, of the Government servant as required by rule 67 of the Central Civil Services (Pension) Rules, 1972, duly admitted by the pension sanctioning authority.

② Only two copies of passport size photograph of Government servant need be furnished:

- (i) if the Government servant is governed by rule 54 of the Central Civil Services (Pension) Rules, 1972, and is unmarried or a widower or a widow;
- (ii) if the Government servant is governed by rule 55 of the Central Civil Services (Pension) Rules, 1972.

#### FORM 9

(See rule 76(1))

#### Form of Surety Bond

In consideration of the President of India (hereinafter called the "Government" which expression shall include his successors and assigns) having agreed to settle the final accounts of Shri/Shrimati ... without production of a "No Demand Certificate" from the Director of Estates, I hereby stand surety (which expression shall include my heirs, executors and administrators) for payment by the said ... of rent and other dues in respect of residence now allotted to him/her by the Government and also for any residence that may be allotted or that was allotted to the said ... from time to time by the Government. I, the surety, further agree and undertake to indemnify the Government against all loss and damage until delivery of vacant possession of the above-said residence is made over to the Government.

I hereby also stand surety for any amounts that may be due by the said ... to the Government by way of overpayment of pay, allowances, leave salary, advances for conveyance, house-building or other purposes, or any other dues.

The obligation undertaken by me shall not be discharged or in any way affected by an extension of time or any other indulgence granted by the Government to the said ....

This guarantee shall remain in force till,

- (i) the «No Demand Certificate» is issued by the Director of Estates in favour of the said ...
- (ii) the Head of Office in which the said ... was last employed, and in case he/she was drawing pay and allowances on gazetted Government servants bill forms the concerned Audit Officer, has certified that nothing is now due to the Government from the said ...

The stamp duty on this instrument shall be borne by the Government.

Signature of the surety.

Signed and delivered by the said surety at ... this ... day of ... in the presence of;

1. Signature ....

Address and occupation of witness ...

2. Signature ...

Address and occupation of witness ...

Certified that Shri/Shrimati ... is a permanent Government servant.

Signature of the Head of the Department or Head of Office in which the surety is employed.

This bond is hereby accepted.

(Signature and designation) for and on behalf of the President of India.

#### FORM 10

(See rules 77(3) and 79(2))

Form of letter to the member or members of the family of a deceased government servant where valid nomination for the grant of the death-cum-retirement gratuity exists

No.  
Government of India  
Ministry of ...  
Department of ...

Dated the

To

...  
...  
...

Subject: — Payment of death-cum-retirement gratuity in respect of the late Shri/Shrimati ...

Sir/Madam,

I am directed to state that in terms of the nomination made by the late Shri/Shrimati ..., Designation in the Office/Department/Ministry of ... a death-cum-retirement gratuity is payable to his/her nominee(s). A copy of the said nomination is enclosed herewith.

2. I am to request that a claim for the grant of the gratuity may be submitted by you in the enclosed Form 12.

3. Should any contingency have happened since the date of making the nomination, so as to render the nomination invalid, in whole or in part, precise details of the contingency may kindly be stated.

Yours faithfully,

Head of Office/Audit Officer.

#### FORM 11

See rules 77(3) and 79(2))

Form of letter to the member or members of the family of a deceased government servant where valid nomination for the grant of the death-cum-retirement gratuity does not exist

No.  
Government of India,  
Ministry of ...  
Department of ...

Dated the

To

...  
...  
...

Subject: — Payment of death-cum-retirement gratuity in respect of the late Shri/Shrimati ...

Sir/Madam,

I am directed to say that in terms of rule 50 of the Central Civil Services (Pension) Rules, 1972, a death-cum-retirement gratuity is payable to the following members of the family

of late Shri/Shrimati ..., (Designation) ..., in the Office/Department/Ministry of ... in equal shares:—

- (i) Wife/husband  
(ii) Sons  
(iii) unmarried daughters
- { including step children and adopted children.

2. In the event of there being no surviving member of the family as indicated above, the gratuity will be payable to the following members of the family in equal shares:—

- (i) widowed daughters including step daughters and adopted daughters.  
(ii) father,  
(iii) mother, } including adoptive parents in case of individuals whose personal law permits adoption.  
(iv) brother below the age of eighteen years and unmarried widowed sisters including step brothers and step sisters.  
(v) married daughters, and  
(vi) children of a pre-deceased son.

3. It is requested that a claim for the payment of gratuity may be submitted in the enclosed Form 12 as soon as possible.

Yours faithfully,

Head of Office/Audit Officer.

#### FORM 12

[See rules 77(3) and 79(2)]

Form of application for the grant of the death-cum-retirement gratuity on the death of a Government servant

(To be filled in separately by each applicant)

1. Name of the applicant.
2. (i) Name of the guardian in case the applicant is a minor.  
(ii) Date of birth of guardian.
3. Name of the deceased Government servant.
4. Date of death of the Government servant.
5. Office/Department/Ministry in which the deceased served last.
6. Relationship with the deceased Government servant.
7. Date of birth of the applicant.
8. Name of the Treasury or Sub-Treasury at which payment is desired.
9. Full address of the applicant.
10. Signature or thumb impression of the applicant. (To be furnished in a separate sheet duly attested).
11. \*Attested by                      Name      Full address      Signature  
(i)  
(ii)
12. Witness  
(i)  
(ii)

\* Attestation should be done by two gazetted Government servants or two or more persons of respectability in the town, village or Pargana in which the applicant resides.

#### FORM 13

[See rules 77(4) and 79(3)]

Form of letter to the widow/widower of a deceased Government servant for grant of contributory family pension

No. ...  
Government of India  
Ministry of ...  
Department of ...  
Dated the ...

To,

Shrimati/Shri ...

Subject:—Payment of contributory family pension in respect of late Shri/Shrimati ...

Sir/Madam,

I am directed to say that in terms of rule 54 of the Central Civil Services (Pension) Rules, 1972, a contributory family pension is payable to you as widow/widower of the late Shri/Shrimati ..., (Designation) /Ministry of ...

2. You are advised that a claim for the grant of contributory family pension may be submitted in the enclosed Form 14.

3. The contributory family pension will be payable till your death or re-marriage whichever event occurs earlier. In the event of your death or re-marriage, the contributory family pension shall be granted to the child or children, if any, through the guardian.

Yours faithfully,

Head of Office/Audit Officer.

#### FORM 14

(See rules 77(4), 79(3) and 81(2))

Form of application for the grant of contributory family pension on the death of a government servant/pensioner

1. Name of the applicant.

- (i) Widow/Widower,  
(ii) Guardian if the deceased person is survived by child or children.

2. Name and age of surviving widow/widower and children of the deceased Government servant/pensioner.

S. No.	Name	Relationship with the deceased person	Date of birth by Christian era
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			

3. Date of death of the Government servant/pensioner.

4. Office/Department/Ministry in which the deceased Government servant/pensioner served last.

5. If the applicant is guardian, his date of birth and relationship with the deceased Government servant/pensioner.

6. Full address of the applicant.

7. Name of the Treasury or Sub-Treasury at which payment is desired.

8. Enclosures:

- (i) Two specimen signatures of the applicant, duly attested to be furnished in two separate sheets).  
(ii) Two copies of passport size photograph of the applicant, duly attested.  
(iii) Two slips each bearing left hand thumb and finger impressions\* of the applicant, duly attested.

- (iv) Descriptive Roll of the applicant, duly attested, indicating (a) height and (b) personal marks, if any, on the hand, face etc.

(To be furnished in duplicate).

- (v) Certificate (s) of age (in original with two attested copies) showing the dates of birth of the children. The certificate should be from the Municipal Authorities or from the Local Panchayat or from the head of a recognised school if the child is studying in such school. (This information should be furnished in respect of such child or children the particulars of whose date of birth are not available with the Audit Officer/Head of Office).

9. Signature or left-hand thumb impression\* of the applicant.

10. Attested by.                      Name      Full address      Signature  
(i)  
(ii)

11. Witnesses.

- (i)  
(ii)

**Note:**— Attestation should be done by two gazetted Government servants or two or more persons of respectability in the town, village or Pargana in which the applicant resides.

\* To be furnished in case the applicant is not literate enough to sign his name.

#### FORM 15

[See rules 77(5) and 79(4)]

**Form of letter to the member of the family of a deceased government servant where valid nomination for the grant of non-contributory family pension exists**

No.  
Government of India  
Ministry of ...  
Department of ...  
Dated the ...

To

Subject: — Payment of non-contributory family pension in respect of the late Shri/Shrimati ...

Sir/Madam,

I am directed to state that in terms of the nomination made by the late Shri/Shrimati ... (Designation) in the Office/Department/Ministry of ... a non-contributory family pension is payable to you as his/her nominee.

2. I am accordingly to suggest that a claim for the grant of non-contributory family pension may be submitted by you in enclosed Form 17.

3. Should any contingency have happened since the date of making the nomination, so as to render the nomination invalid, precise details of the contingency may kindly be stated.

Yours faithfully,

Head of Office/Audit Officer.

#### FORM 16

[See rules 77(5) and 79(4)]

**Form of letter to the member of the family of a deceased government servant where valid nomination for the grant of non-contributory family pension does not exist**

No.  
Government of India  
Ministry of ...  
Department of ...

Dated the ...

To

Subject: — Payment of non-contributory family pension in respect of the late Shri/Shrimati ...

Sir/Madam,

I am directed to state that in terms of rule 55 of the Central Civil Services (Pension) Rules, 1972, a non-contributory family pension is payable to the family of the late Shri/Shrimati ... (Designation) ..., in the Office/Department/Ministry of ... as follows:—

- (a) (i) to the eldest surviving widow or to the husband;  
(ii) failing a widow/husband, to the eldest surviving son;  
(iii) failing (i) and (ii) above, to the eldest surviving unmarried daughter; and  
(iv) these failing, to the eldest surviving widowed daughter, and
- (b) if there are no surviving members of the family as at clause (a) above,  
(i) to the father;  
(ii) failing the father, to the mother;  
(iii) failing the father and mother, to the eldest surviving brother below eighteen years of age;  
(iv) failing (i), (ii) and (iii) above, to the eldest surviving unmarried sister;  
(v) failing the above, to the eldest surviving widowed sister.
- (c) No non-contributory family pension is payable to a person mentioned in clause (b) above without production of reasonable proof that such person was dependent on the deceased for support.

2. I am to suggest that a claim for the non-contributory family pension may be submitted in the enclosed Form 17, as soon as possible. If you have a prior claim to it in accordance with the gradation given above, you are requested to furnish an affidavit to the effect that there is no other surviving member of the family of Shri/Shrimati ... ranking above you in the order given in the first paragraph. If, in the light of the above gradation, you have no prior claim to the non-contributory family pension, you are requested to intimate this Office/Department/Ministry the name, address and relationship with the deceased, of the person who according to your knowledge has a prior claim to the non-contributory family pension. Any false information given or declaration made by you in this connection will render you liable to legal action.

Yours faithfully,

Head of Office/Audit Officer.

#### FORM 17

[See rules 77(5), 79(4) and 81(3)]

**Form application for the grant of non-contributory family pension on the death of a government servant/pensioner**

1. Name of the applicant.
2. (i) Name of the guardian in case the applicant is a minor.  
(ii) Relationship of the guardian with the applicant.
3. Name of the deceased Government servant/pensioner.

4. Relationship of the applicant with the deceased Government servant/pensioner.
5. Date of death of the Government servant/pensioner.
6. Office/Department/Ministry in which the deceased served last.
7. (i) Date of birth of the applicant.  
(ii) Date of birth of the guardian in case the applicant is a minor.
8. Full address of the applicant/guardian.
9. Name of the Treasury or Sub-Treasury at which payment is desired.
10. Enclosures

- (i) Two specimen signature of the applicant, duly attested (To be furnished on two separate sheets).
- (ii) Two copies of a passport size photograph of the applicant, duly attested.
- (iii) Two slips each bearing left hand thumb and finger impressions of the applicant, duly attested.
- (iv) Descriptive Roll of the applicant, duly attested, indicating (a) height and (b) personal marks, if any, on the hand, face, etc. (To be furnished in duplicate).
- (v) If the applicant belongs to a category mentioned at (b) of item 11, he/she should produce reasonable proof of his/her dependence on the deceased Government servant/pensioner for support.
- (vi) If the applicant is a minor brother of the deceased Government servant/pensioner, certificate of age (in original with two attested copies) showing the date of birth should be furnished. (The original will be returned to the applicant after necessary verification).
- (vii) Affidavit (Please see paragraph 2 of Form 16).

11. Names and ages of surviving kindred of the deceased Government servant/pensioner: —

Name	Date of birth by Christian era
(a) Widows/husband sons. Unmarried daughters widowed daughters.	
(b) Father Mother Brothers below the age of eighteen years. Unmarried sisters. Widowed sisters.	

12. Signature or thumb impressions of the applicant.

13. Attested by	Name	Full address	Signature
(i)			
(ii)			

14. Witnesses

- (i)
- (ii)

Note 1: Attestation should be done by two gazetted Government servants or by two or more persons of respectability in the town, village or Pargana in which the applicant resides.

Note 2: If the applicant is a minor, the enclosures against item 10(i) to (iv) are to be furnished by the guardian.

FORM 18

[See rules 77(6) and (7), 79(6) and (7) and 80(6)]

Form for assessing and sanctioning family pension and death-cum-retirement gratuity when a Government servant dies while in service

(To be sent in duplicate if the payment is desired in a different circle of audit).

Part I

1. Name of the deceased Government servant.
2. Father's name (and also husband's name in the case of a female Government servant).
3. Date of birth (by Christian era).
4. Date of death (by Christian era).
5. Religion and nationality.
6. Office/Department/Ministry in which last employed.
7. Appointment held last
  - (i) substantive
  - (ii) officiating
8. Date of beginning of service.
9. Date of ending of service.
10. (i) Total period of military service for which pension/gratuity was sanctioned.  
(ii) Amount and nature of any pension/gratuity received for the military service.
11. Amount and nature of any pension received for previous civil service, if any.
12. Government under which service has been rendered in order of employment.
13. Interruption and non-qualifying service.
14. Length of qualifying service.
15. Whether the deceased Government servant was a pre-1938 entrant and Chapter VI of the Civil Services (Pension) Rules, 1972, applied to him.
16. Emoluments reckoning for gratuity.
17. Proposed death-cum-retirement gratuity.
18. Whether nomination made for —
  - (i) Death-cum-retirement gratuity.
  - (ii) Non-contributory family pension, if applicable.
19. If non-contributory family pension applies and the Government servant had rendered more than ten years qualifying service: —
  - (i) «Average emoluments» for pension, if the Government servant had retired on the date following the date of his death.
  - (ii) Proposed pension.
  - (iii) Proposed non-contributory family pension.
  - (iv) Period of tenability of non-contributory family pension. From To
20. If contributory family pension applies: —
  - (i) Proposed contributory family pension.
  - (ii) Period of tenability of contributory family pension. From To

Y M D

\* To be furnished in case the applicant is not literate enough to sign his name.



21. Persons to whom family pension (contributory or non-contributory) is payable:

Name

Relationship with the deceased Government servant.

Full postal address.

22. Persons to whom death-cum-retirement gratuity is payable:

Name	Amount of the share of the death-cum-retirement gratuity	Relationship with the deceased	Full postal address
(1)	(2)	(3)	(4)
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			

23. Name of the guardian who will receive payment of family pension and death-cum-retirement gratuity in the case of minor(s).

24. Government dues, if any, outstanding against the deceased Government servant.

25. Head of account to which family pension and death-cum-retirement gratuity is debitable.

26. Name of the Treasury or Sub-Treasury where the payment of family pension and death-cum-retirement gratuity is desired.

Place ...

Dated the ...

Signature of the Head of Office/Audit Officer.

## Part II

### Section I

Details of service (showing interruption) of the late Shri/Shrimati/Kumari ...

Date of birth:

Date of death:

Establishment	Appointment	Officiating/substantive	Date of beginning of service	Date of ending of service	Period reckoning as service	Period not reckoning as service	Remarks by the Audit Officer
(1)	(2)	(3)	(4)	(5)	Y M D	Y M D	(8)

Total period of service ...

**Note 1:**—If the deceased Government servant had rendered any military service which qualified for civil pension, date of commencement and date of ending of each period of such service should also be indicated.

**Note 2:**—The Audit Officer should record briefly in column 8 his reasons for disallowing any service claimed. Any other disallowance should be recorded with reasons therefor in the audit encasement in Section I of Part IV of this Form.

## Section II

(To be filled in, if non-contributory family pension is admissible).

\*Emoluments drawn during the last three years.

Post held	From	To	Pay	Personal/Special Pay

Average emoluments:

\*In a case where the last three years include some period not to be reckoned for calculating average emoluments an equal period backwards has to be taken for calculating the average emoluments.

## Section III

Details of non-qualifying service.

1. Interruption(s).
2. Extraordinary leave not qualifying for pension.
3. Period of suspension not treated as qualifying.
4. Any other service not treated as qualifying.

Total ...

## Section IV

Period of service not verified with reference to the Acquittance Rolls.

Whether the above period has been verified in accordance with the provisions of sub-rule (4) of rule 67 of the Central Civil Services (Pension) Rules, 1972.

## Part III

1. Remarks of the Head of Office:

- (1) As to the character, conduct and past service of the deceased Government servant. Good/fair/indifferent/bad
- (2) Explanation of any suspension or degradation.
- (3) Any other remarks.
- (4) Special opinion of the Head of Office whether the service claimed is established and should be admitted or not.

2. Orders of the pension sanctioning authority:

The undersigned having satisfied himself that the service of the late Shri/Shrimati/Kumari ... was thoroughly satisfactory hereby orders the grant of the full death-cum-retirement gratuity and non-contributory family pension (if applicable) which may be accepted by the Audit Officer as admissible under the Central Civil Services (Pensions) Rules, 1972 to the person (s) mentioned in Part I of this Form.

OR

The undersigned having satisfied himself that the service of the late Shri/Shrimati/Kumari ... was not thoroughly satisfactory hereby orders that the amount of gratuity and non-contributory family pension, if applicable, as may be accepted by the Audit Officer under the Central Civil Services (Pension) Rules, 1972 shall be reduced by the amount specified

below before any authority for payment is issued to the person (s) mentioned in Part I of this Form.

Amount of reduction in the gratuity.

Amount of reduction in non-contributory family pension, if applicable.

The grant of gratuity or of family pension or of both shall take effect from ...

Place ... Signature and designation of the pension sanctioning authority.  
Dated the ...

#### Part IV

##### Section I

###### Audit enforcement

1. Total period of qualifying service which has been accepted for:—
  - (i) Death-cum-retirement gratuity.
  - (ii) Family Pension (contributory or non-contributory).

*Note:*—Service for the period commencing from ... and upto the date of death has not yet been verified; this should be done before pension payment order is issued.

2. Reduction ordered by pension sanctioning authority.
3. Net amount of death-cum-retirement gratuity after taking into account the reduction mentioned in item 2 and other Government dues.
4. Amount of contributory family pension:—
  - (i) if death took place before seven years of service.
  - (ii) if death took place after seven years of service, the period of tenability of the enhanced pension.
5. Amount of non-contributory family pension after taking into account the reduction mentioned in item 2 and the period for which it is tenable.
6. The date from which family pension is admissible.
7. Head of Account to which death-cum-retirement gratuity and family pension are chargeable.

Accounts Officer

Assistant Accountant General

##### Section II

1. Name of the deceased Government servant.
2. Date of death of the Government servant.
3. Date of submission of claim by the family of the deceased Government servant.
4. Sanctioning authority.
5. Amount of family pension sanctioned.
6. Amount of gratuity sanctioned.
7. Date of sanction.
8. Amount recoverable from gratuity.
9. The amount of gratuity held over for adjustment of unassessed Government dues.

#### Part V

##### Instructions

1. *Average emoluments:* The calculation of average emoluments, mentioned in item 19 of Part I of this Form should be based on the actual number of days contained in each month.

2. *Details of Service:* (a) Give date, month and year of the various appointments, promotions and cessations. For the purpose of adding towards broken periods, a month is reckoned as thirty days.

(b) All periods not reckoned as service should be distinguished.

3. *Identification Marks:* Specify a few conspicuous marks, not less than two, if possible.

4. *Name:* When initials or the name of the Government servant are or is incorrectly given in the various records

consulted, mention this fact in the letter forwarding the pension papers.

5. *Date of death:* Date of death to be indicated in the service book, and the Last Pay Certificate, if any.

6. *Alterations:* Alterations to be made in red ink under dated initials of a gazetted Government servant.

#### FORM 19

[See rule 79 (6)]

Form of letter to the Audit Officer forwarding papers for the grant of family pension and death-cum-retirement gratuity to the family of government servant who dies while in service

No ...  
Government of India  
Ministry of ...  
Department/Office ...

Dated the ...

To

The Accountant General/Pay and Accounts Officer,

Subject:—Grant of family pension and death-cum-retirement gratuity.

Sir,

I am directed to say that Shri ... (Designation), died on .... His family has become eligible for the grant of family pension and death-cum-retirement gratuity. Form 18 duly completed and containing the orders of the pension sanctioning authority is forwarded herewith for further necessary action.

2. Your attention is invited to the list of enclosures which is forwarded herewith.

3. The receipt of this letter may be acknowledged and this Ministry/Department/Office informed that necessary instructions for the disbursement of family pension and death-cum-retirement gratuity have been issued to the Treasury Officer concerned.

Your faithfully,

Head of Office

##### List of enclosures

1. Specimen signature or left hand thumb and finger impressions of the beneficiary, duly attested.
2. Two attested copies of a passport size photograph of the beneficiary.
3. Descriptive Roll of the beneficiary, duly attested.

#### FORM 20

(See rule 81(2))

Form of letter sanctioning contributory family pension to the child or children of a retired Government servant who dies after retirement but does not leave behind a widow/widower

No ...  
Government of India  
Ministry of ...  
Department/Office of ...

Dated, the .....

To

The Accountant General/Pay and Accounts Officer,

Subject:—Grant of family pension to the child/children.

Sir,

I am directed to say that Shri/Shrimati ... formerly ... (Designation) in this Ministry/Department/Office was sanctioned pension

of Rs. ... with effect from ... on his retirement from service.

2. Intimation has been received in this Ministry/Department/Office that Shri/Shrimati ... died on ... and that at the time of death left\* no widow/widower but was survived by the following children:—

Sl. No.	Name	Son/ daughter	Date of birth in Christian era	Date from which family pension ceases to be payable
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				

3. In terms of rule 54 of the Central Civil Services (Pension) Rules, 1972, the amount of contributory family pension has become payable to the children in the order mentioned above. The contributory family pension will be payable on behalf of the minors to Shri/Shrimati ... who is the guardian.

4. Sanction for the grant of contributory family pension of Rs. ... per month to the children mentioned above is hereby accorded. The contributory family pension will take effect from ... and subject to the provisions of sub-rule (6) of rule 54 of the Central Civil Services (Pension) Rules, 1972, will be tenable till ...

5. The contributory family pension is debitable to the Head.

6. Attention is invited to the information furnished in the enclosed list.

7. The receipt of this letter may kindly be acknowledged and this Ministry/Department/Office informed that necessary instructions for the payment of contributory family pension to the guardian have been issued to the Treasury Officer concerned.

Yours faithfully,  
(Head of Office)

\* The names of children should be mentioned in the order of eligibility mentioned in rule 54 of the Central Civil Services (Pension) Rules, 1972. Children born as a result of marriage which took place before the retirement of the Government servant or children adopted legally before retirement should only be included.

#### List

1. Permanent address of the guardian.
2. Place of payment (Government Treasury or Sub-Treasury).

#### Enclosures

3. Specimen signatures or \*left hand thumb and finger impressions of the guardian, duly attested.
4. Two attested copies of a passport size photograph of the guardian.
5. Descriptive Roll of the guardian, duly attested.

\* To be furnished in the case of the guardian who is not literate enough to sign his/her name.

FORM 21  
(See rule 81(2))

Form of letter sanctioning family pension to the child or children on the death or re-marriage of a widow/widower who was in receipt of contributory family pension

No. ...  
Government of India  
Ministry of ...  
Department/Office of ...  
Dated the .....

To  
The Accountant General/Pay and Accounts Officer,  
.....  
.....

Subject:— Grant of family pension to the child/children.

Sir,

I am directed to say that Shrimati/Shri ... widow/widower of late Shri/Shrimati ... formerly (Designation) in this Ministry/Department/Office, was sanctioned contributory family pension of Rs. .... with effect from the ... The contributory family pension was tanable till the death or re-marriage of the widow/widower.

2. Intimation has been received in this Ministry/Department/Office that Shri/Shrimati ... died/re-married on .....

3. At the time of death/re-marriage, Shri/Shrimati ... had following children:—

Sl. No.	Name	Son/ daughter	Date of birth in Christian era	Date from which family pension ceases to be payable
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				

4. In terms of rule 54 of the Central Civil Services (Pension) Rules, 1972, the amount of contributory family pension has become payable to the children in the order mentioned above. The contributory family pension will be payable on behalf of the minors to Shri/Shrimati ... who is the guardian.

5. Sanction for the grant of contributory family pension of Rs. ... per month to the children, mentioned above is hereby accorded. The contributory family pension will take effect from ... and subject to the provisions of sub-rule (6) of rule 54 of the Central Civil Services (Pension) Rules, 1972 will be tenable till .....

6. The contributory family pension is debitable to the Head .....

7. Attention is invited to the information furnished in the enclosed list.

8. The receipt of this letter may kindly be acknowledged and this Ministry/Department/Office informed that necessary instructions for the payment of contributory family pension to the guardian have been issued to the Treasury Officer concerned.

Yours faithfully,  
(Head of Office)

\* The names of children should be mentioned in the order of eligibility mentioned in rule 54 of the Central Civil Services (Pension) Rules, 1972. Children born as a result of marriage which took place before the retirement of the Government servant or children adopted legally before retirement should only be included.

#### List

1. Permanent address of the guardian.
2. Place of payment (Government Treasury or Sub-Treasury).

#### Enclosures

3. Specimen signatures or \*left hand thumb impressions of the guardian, duly attested.
4. Two attested copies of a passport size photograph of the guardian.
5. Descriptive Roll of the guardian, duly attested.

\* To be furnished in the case of the guardian who is not literate enough to sign his/her name.

FORM 22  
[See rule 81(4)]

Form of application for the grant of residuary\* gratuity  
on the death of a pensioner

(To be filled in separately by each applicant)

1. Name of the applicant.
2. (i) Name of the guardian in case the applicant is a minor.  
(ii) Date of birth of guardian.
3. Name of the deceased pensioner.
4. Office/Department/Ministry in which the deceased pensioner served last.
5. Date of death of the pensioner.
6. Date of retirement of the deceased pensioner.
7. Amount of monthly @pension (including *ad-hoc* increase, if any) sanctioned to deceased pensioner.
8. Amount of death-cum-retirement gratuity received by the deceased pensioner.
9. The amount of @pension (including *ad hoc* increase, if any) drawn by the deceased till the date of death.
10. If the deceased had commuted a portion of pension before his death, the commuted value of the pension.
11. Total of items 8, 9 and 10.
12. Amount of death-cum-retirement gratuity equal to 12 times of the emoluments.
13. The amount of residuary gratuity claimed i. e. the difference between the amount shown against item 12 and item 11.
14. Relationship of the applicant with the deceased pensioner.
15. Date of birth of the applicant.
16. Name of the Treasury or Sub-Treasury at which payment is desired.
17. Full address of the applicant.
18. Signature or thumb impression of the applicant (To be furnished in a separate sheet duly attested) @ @.
19. Attested by
 

Name	Full Address	Signature
(i)		
(ii)		
20. Witness
 

(i)	
(ii)	

\* If a retired Government servant in receipt of service gratuity or pension dies within five years from the date of his retirement from service including compulsory retirement as a penalty and the sums actually received by him at the time of his death on account of such gratuity or pension including *ad hoc* increase, if any, together with the death-cum-retirement gratuity and the commuted value of any portion of pension commuted by him are less than the amount equal to 12 times of his emoluments, a residuary gratuity equal to the deficiency becomes payable to the family.

@ When a Government servant had retired before earning a pension, the amount of service gratuity should be indicated.

@@ Attestation should be done by two gazetted Government servants or by two or more persons of respectability in the town, village or Pargana in which the applicant resides.

(S. P. Mahna)

Deputy Secretary to the Government of India